

The American Labor Legislation Review

JOHN B. ANDREWS, Editor

OLON DE LEON, Assistant Editor

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INTRODUCTORY NOTE

America having drawn her sword and entered the world war in behalf of democracy, the labor legislation enacted by forty-four states and Congress in 1917 bears the impress of the event. Most far-reaching and significant of all war-time measures of this kind is that passed by Congress establishing for soldiers and sailors the most liberal government system of accident, health, and life insurance that has ever been adopted by any country for its enlisted men. Federal insurance for merchant seamen was also set up. And stimulated by the war's new emphasis on the need for health protection in the nation's industries, eight states created commissions to study workmen's health insurance.

Two states sought by legislative enactment to make able-bodied idlers work during the war and one state prohibited strikes or lockouts in munition plants. The difficulty of mobilizing labor led to renewed interest in public employment offices, which were created or extended in a dozen states and in the federal Department of Labor.

The President was empowered to suspend the eight-hour law on government war work provided time and one-half were paid for overtime. Less well advised were statutes in four New England commonwealths authorizing, under certain circumstances, the setting aside of labor laws during the continuance of the struggle. But these few ominous backward steps were fortunately not as significant in the year's legislative experience as was the decisive defeat in several states of proposals still more dangerous.

Five new states—Delaware, Idaho, New Mexico, South Dakota, and Utah—enacted workmen's compensation laws, making forty states and territories in all which now have such legislation. Congress, by a measure drafted, on official request, by the Association for Labor Legislation, extended to longshoremen the right to benefits under state compensation laws. Alaska adopted the universal eight-hour day, while Montana and Nevada established an eight-hour limit for women. Arizona was the twelfth state to enact a minimum wage law for women in private employment. Investigations into women in industry were authorized in Illinois and North Dakota; the latter state and Michigan authorized studies of child labor; and Congress ordered a study, now completed, of wage-earners' cost of living in the District of Columbia. In the Northwest there was a tendency to legalize trade unions and restrict the use of injunctions in labor disputes, but to place heavy penalties on the preaching or practice of sabotage. In the protection of children and adults from industrial accident and disease hazards a number of advances were made. Unified authorities for administering labor laws were created in Illinois, Montana, Utah, and Vermont.

As last year, the arrangement of topics in this REVIEW corresponds with that in Commons' and Andrews' *Principles of Labor Legislation*. Detailed analysis of the statutes is mainly the work of Solon De Leon and Irene Sylvester of the Association's staff with the cooperation of the Legislative Research Drafting Fund of Columbia University.

JOHN B. ANDREWS, *Secretary*
American Association for Labor Legislation.

LABOR LEGISLATION OF 1917

I. ANALYSIS BY SUBJECTS AND BY STATES

The labor laws enacted by the forty-four states which held regular, and the dozen states which held special, legislative sessions in 1917, together with the labor laws enacted by the Sixty-fourth Congress, second session (December 4, 1916—March 4, 1917), and the Sixty-fifth Congress, first session (April 2—October 6, 1917), are summarized herewith in alphabetical order by subjects and by states, with chapter references to the session law volumes.

MISCELLANEOUS LEGISLATION

Under this heading are classified laws which do not belong under any other. The most important are measures in four states authorizing a suspension of labor law during the war. Three of these, in Connecticut, New Hampshire, and Vermont, are general, so drafted as to make it necessary to suspend the law as to all employees in order to exempt one or two establishments. That of Massachusetts provides for individual treatment and hearings in each case. Illinois and North Dakota provide for commissions to study women in industry, the North Dakota commission covering child workers also, and Congress directs a study of wage-earners' cost of living in the District of Columbia.

Connecticut.—The governor may modify or suspend labor laws "for definite periods during the war." He is to specify in his proclamation the laws modified or suspended and the period, and may exercise this power only on request of the Council of National Defense "when essential to national defense." Modification or suspension is not to continue beyond close of the war. (C. 326. In effect, May 16, 1917.)

Illinois.—An industrial survey commission is created to study conditions of women in industry, with special reference to hours. The commission is to consist of five members, one of whom shall be a representative of women workers, one an employer of women,

one a person interested in social problems and not representative of labor or capital, and two medical men not representative of labor or capital. (P. 519. In effect, July 1, 1917.)

Massachusetts.—Section 24 of the commonwealth defense act directs the state board of labor and industries to appoint with the approval of the governor a committee of five consisting of the commissioner of labor as chairman, two representatives of employers, and two of wage-earners. Any employer may set forth to the state board of labor and industries or to the committee that any of the labor laws interferes with the prosecution of work in which he is engaged and which is required by an emergency arising out of the war, and ask for a permit suspending the operation of such law as to his work or establishment. The committee after hearing may grant such permit, subject to such restrictions as it deems proper, the permit to be revocable, and to become void, in any event, sixty days after ending of the war. The commissioner of labor may in urgent cases in which the committee cannot be convened grant a permit for not more than seventy-two hours. (C. 342. In effect, May 26, 1917.)

New Hampshire.—The governor may suspend or modify restrictions in the labor laws when requested by the Council of National Defense. The suspension or modification shall continue for the period designated by the governor but not longer than the existing war. (C. 194. In effect, April 19, 1917.) For amended law regulating women's and children's hours, which does not go into effect in munition plants during the war, see "Hours," p. 547.

North Dakota.—A public welfare commission is created to be composed of the commissioner of agriculture and labor, the attorney general, and a woman welfare worker appointed by the governor, who is the secretary and receives \$1,200 a year. The commission shall investigate "economic, moral and social conditions of women, girl and child workers" in factories, hotels and other industrial establishments. The commission shall report to the governor and the next legislative assembly including a report on the average wages received by women and child workers. The sum of \$4,000 is appropriated. (C. 181. In effect, July 1, 1917.)

Vermont.—The commissioner of industries, with the approval of the governor, may suspend the operation of laws "relating to the hours of employment of women and children while the United States is at war." (No. 172. In effect, April 12, 1917.)

United States.—The department of labor is directed to make an inquiry into the cost of living of wage-earners in the District of Columbia, \$6,000 being appropriated. (Pub. Res. 39. In effect, December 20, 1916.)¹

INDIVIDUAL BARGAINING

Payment of wages at least twice monthly is required of railroads in Nebraska, North Dakota, and West Virginia; of railroads, mines, and manufactories in New Mexico; in all private employment in Tennessee; and for certain public employees in California and Wisconsin. West Virginia has the interesting limitation that assessments for hospital and other relief associations may be withheld. That wages be paid in cash or negotiable checks or orders is made the law in Illinois, Kansas, Minnesota, New Mexico, and Tennessee. Family interest in wages is recognized in Maine and Utah by requiring the written consent of the wife to assignment of wages for small loans, and in Arizona and Florida the surviving spouse may collect wages due to decedent. Mechanics' lien laws are extended or otherwise revised in nine states; in three states wages on public work are protected by bond. Competition between prison and free labor is reduced by four states: California requires the labelling of certain prison-made goods; New Jersey provides that prison labor may not be used in strikes or lockouts, or in public work if sufficient free laborers can be secured; while North Carolina and Tennessee abolish the system of contracting prison workers to private employers. Massachusetts gives preference in public work to teamsters who are citizens of the state and then of the United States, and in the new immigration law Congress retains the previous provisions against importing contract labor. Colorado makes cheating a person of his labor swindling, and Tennessee prohibits misrepresentation of wages. On the other hand, the duty of a workman to return labor for wages paid is enforced as to lumbering by New Hampshire. California and Ohio prohibit "job selling," and Michigan and Ohio require hearings for railroad employees before discharge or disciplining. California forbids forcing employees to purchase goods from the employer or other specified person, requires employers to pay the cost of necessary bonds or photographs, and

¹ For summary of the results of this inquiry, see *Monthly Review of the U. S. Bureau of Labor Statistics*, October, 1917, pp. 1-17.

orders public utilities to furnish service letters on discharge. The usual restriction against use of the stop-watch or motion studies is contained in four federal appropriation acts.

I. PAYMENT OF WAGES

Arizona.—The surviving spouse may, without securing letters of administration, collect wages due to the decedent if the amount does not exceed \$300. (C. 22. In effect, June 6, 1917.)

California.—Wages of employees of counties of certain classes based on a daily rate shall be paid at least twice in each calendar month at equal intervals. Violation is a misdemeanor. (C. 574. In effect, July 21, 1917.)

Colorado.—Loan agreements and assignments of wages must be filed within seven days with the employer of the borrower. No action to charge the employer is to be maintained unless the assignment is so filed. (C. 93. In effect, April 20, 1917.)

Florida.—Employers may pay to the wife or husband, children over eighteen, or father or mother, in the order named, any wages due an employee at the time of his death. Such wages are not assets of the estate. (C. 7366. In effect, June 5, 1917.)

Illinois.—No person may issue a payment of wages time check, store order, scrip, or other acknowledgment of indebtedness unless redeemable on demand for face value in lawful money at office of the person or firm. (P. 363. In effect, July 1, 1917.)

Kansas.—All time checks, due bills, scrip, orders or orders for merchandise issued in payment of wages must be paid on demand in lawful money of the United States, unless the due date shall be plainly and specifically stated thereon, which due date shall not be more than fifteen days after date. Violation is a misdemeanor. Penalty, \$500-\$1,000. (C. 229. In effect, May 20, 1917.)

Maine.—Assignment of wages given to secure a loan shall not be valid unless in writing, and if the borrower be married "unless it shall be signed in person by both husband and wife." (C. 298. In effect, July 7, 1917.)

Minnesota.—It is a misdemeanor to pay wages by a non-negotiable instrument. (C. 348. In effect, April 17, 1917.)

Nebraska.—Railroads must pay employees' wages twice monthly. (C. 218. In effect, July 24, 1917.)

New Mexico.—Railway, mining, and manufacturing corporations

must designate regular pay days not more than sixteen days apart and post notices thereof. Payments must be made in full on pay days in cash or checks dated that day, except that sixteen days' pay may be withheld for those remaining in the service of the corporation. Violation is a misdemeanor. Penalty, \$50-\$500. (C. 16. In effect, June 8, 1917.)

North Dakota.—Railroad corporations are required to pay wages semi-monthly. (P. 206. In effect, July 1, 1917.)

Tennessee.—Wages in private employment must be paid semi-monthly on regular pay days. Payment must be in lawful money of United States or negotiable check or draft payable on demand without discount. (C. 28. In effect, May 1, 1917.)

Utah.—No assignment of wages earned or to be earned to secure a loan of \$300 or less shall be valid when made by a married man unless the written consent of the wife is obtained. (C. 41. In effect, May 8, 1917.)

West Virginia.—Railroads must pay wages semi-monthly, but that shall not interfere with the right to withhold assessment for relief or savings department, hospital association or any other department or association maintained by the railroad company or its employees. (C. 50. In effect, May 21, 1917.)

Wisconsin.—County boards in counties having a population of 250,000 or more shall establish semi-monthly payment of salaries and wages of county officers and employees. (C. 469. In effect, June 25, 1917.) All salaries, wages, compensation of state officers and employees not exceeding the rate of \$100 a month shall be payable semi-monthly. (C. 448. In effect, June 22, 1917.)

2. MECHANICS' LIENS AND WAGE PREFERENCE

Arkansas.—The mechanics' lien law is amended to provide that persons having a lien must file within nine months, with the clerk of the circuit court of the county in which the debtor resides, a true account of the debt and a description of the property, verified by affidavit. (Act 305. In effect, March 24, 1917.)

California.—Any person furnishing labor or material on a road outside of any incorporated city or town may, if unpaid, recover by suit on the contractor's bond. (C. 714. In effect, July 30, 1917.)

Connecticut.—Officers or agents of the state or its sub-divisions, in making contracts for certain public works, must require a bond

to guarantee, among other matters, the payment of all labor claims. Claimants must file a statement with the contracting officer or agent within sixty days after ceasing to labor and shall be paid by him the amount recovered on the bond. (C. 118. In effect, July 1, 1917.)

Delaware.—The mechanics' lien law is amended by extending the lien privileges to persons who perform labor or furnish materials under contract with subcontractors. The owners may require contractors and subcontractors to furnish a list of all persons who may be entitled to such liens and if the list is not furnished within ten days the owners may withhold any further payments to the contractors and subcontractors until it is furnished. If the proceeds from the sale of property are insufficient to pay all liens the proceeds are to be divided ratably among the lien holders. (C. 225. In effect, April 25, 1917.)

Massachusetts.—Mechanics' liens are given for labor performed or materials used in the erection, repair, *etc.*, of buildings, where such labor was performed or material furnished under agreements made prior to January 1, 1916. These liens are to be enforced under the general law "in the same manner as if Chapter 292 of the general acts of the year 1915 had not been enacted." (C. 213. In effect, May 2, 1917.)

Montana.—A lien is created in favor of persons furnishing labor and materials to owners of lease holds for oil and gas purposes and for the construction of oil and gas pipe lines. (C. 45. In effect, February 19, 1917.)

North Dakota.—The law relating to liens by blacksmiths and mechanics is amended. The enumeration of articles subject to such liens (such as engines, threshing machines, *etc.*) is stricken out and there is substituted the general term "personal property." (P. 16. In effect, July 1, 1917.)

Ohio.—The bond required by law to be given by the contractor for the erection of public buildings or public works shall contain an additional obligation for the payment for all labor performed. (P. 642. In effect, July 1, 1917.)

Oregon.—Any person other than the owner operating a mine is a bailee of the metal or mineral products until the sums due the owner and wages due to workmen have been wholly paid. Conversion or removal without the consent of the owner or workman is made larceny by bailee, punishable by fine \$100-\$500 or imprison-

ment for not more than one year or both. (C. 226. In effect, May 21, 1917.)

South Dakota.—Contractors for real estate improvement who with intent to defraud use payments on account of such improvement for any purpose other than the labor, material, or machinery contributed to the improvement (if any account for such labor, material or machinery remains unpaid at the time of such payment) are made guilty of larceny of the proceeds of the payment. (C. 296. In effect, July 1, 1917.)

Texas.—Liens are created in favor of persons who perform work for owners of land, mines or quarries or owners of lease holds for oil, gas or water wells. (C. 17. In effect, June 19, 1917.)

Washington.—A lien is created in favor of persons performing labor upon any orchard in pruning, spraying, cultivating and caring for the same. (C. 110. In effect, June 7, 1917.)

West Virginia.—The mechanics' lien law is revised with a number of new details. (C. 6. In effect, May 17, 1917.)

Wisconsin.—The law relating to mechanics' liens is amended by providing that any such lien shall be prior to the lien of any chattel mortgage or the right of any person under a conditional sales contract, for charges not exceeding \$75. To misrepresent to a mechanic the extent of interest in property to induce him to do work on it is a misdemeanor. Maximum penalty, \$200, imprisonment up to six months, or both. (C. 266. In effect, May 25, 1917.)

3. PRISON LABOR

California.—It is prohibited to sell or have in possession for sale any article for personal wear manufactured at a penitentiary or any other institution supported by public expense and outside of California except when labeled designating the institution where manufactured and unless a notice is kept on exhibition in the sales room stating that goods so manufactured are on sale. A violation is a misdemeanor. Penalty, for first offense \$20-\$100, or imprisonment in county jail ten to thirty days; for each subsequent offense, fine \$50-\$200, imprisonment twenty to 100 days, or both. (C. 164. In effect, July 4, 1917.)

New Jersey.—Prisoners are not to replace free labor locked out or on strike, nor are they to be employed on any public work when sufficient free laborers apply. (C. 157. In effect, March 27, 1917.)

North Carolina.—Contracts by which the labor or time of any prisoner in the state penitentiary, prison, or reformatory, or the product or profit of his work, is given or let to an employer, are prohibited. The act does not apply to work done for any state or county institution, or to products of the state farm, or to contracts already in existence. (C. 286. In effect, March 7, 1917.)

Tennessee.—The system of contracting or leasing the labor of convicts to manufacturers is abolished. The law declares that all such contracts shall be terminated not later than August 1, 1919. (C. 46. In effect, October 1, 1916.¹)

4. IMMIGRATION

Massachusetts.—In employment of teamsters as well as mechanics and laborers on public works preference is to be given to Massachusetts and then to United States citizens. (C. 260. In effect, June 15, 1917.)

United States.—The new immigration act retains the restriction against the importation of "contract laborers" and of persons who come in consequence of advertisements for laborers printed, published or distributed in a foreign country. Skilled labor may be imported if labor of a like kind cannot be found unemployed in this country, and the question of such importation must be decided by the secretary of labor. If the President is satisfied that passports issued by foreign governments are being used for the purpose of enabling the holders to come to the United States to the detriment of labor conditions here, he shall refuse to permit the passport holders or the subjects of the country furnishing such passports to enter the United States. (Public 301, 64th Congress, 2nd session. In effect, February 5, 1917.)

5. MISCELLANEOUS

California.—The law which forbade persons having authority from employers to hire or direct the services of persons to receive any consideration for the hiring or permission to continue in the employment is repealed, and a new act prohibits any employer as well as persons having authority from him from demanding or receiving "directly or indirectly" from any person then in the employment of said employer any consideration or any part of tips

¹ Date so given in session law volume; apparently an error for 1917.

received in the employment for the hiring of any person or for permitting him to continue in the employment, or as a condition of the employment. The maximum penalty, which was formerly a fine of \$300, may now be the same fine, or imprisonment for six months, or both. The former requirement that the employer should keep a notice setting forth the act does not appear in the new law. (C. 172. In effect, July 4, 1917.) It is made unlawful for an employer or any of his employees to oblige an employee to buy things of value from the employer or any other person, but the employer may prescribe uniforms. Violation is a misdemeanor. Maximum penalty, \$100, or imprisonment for not over six months, or both. (C. 141. In effect, June 25, 1917.) Whenever an employer requires a bond or photograph of an employee on application for a job he must pay its cost. Violations are misdemeanors. Penalty, \$25-\$500. (C. 108. In effect, June 19, 1917.) Public utility corporations must give to each employee requesting it a letter stating period and kind of service. Penalty, \$25-\$100. (C. 747. In effect, July 30, 1917.)

Colorado.—Any person "knowingly and designedly by any false pretense" obtaining the "labor or services" of another is deemed a "swindler." Penalty is dependent on the value of the services: if over \$20, imprisonment not to exceed ten years; if under \$20, not exceeding \$1,000 fine, or not exceeding six months' imprisonment. (C. 54. In effect, April 10, 1917.)

Michigan.—Common carriers by railroad are prohibited from disciplining or discharging any employee upon the report of any special agent or detective. (No. 92. In effect, August 9, 1917.)

New Hampshire.—Any one who enters into an agreement to labor on a lumbering operation and receives an advance of goods, money or transportation and without cause fails to enter into such employment as agreed and work for sufficient time to reimburse the employer for his advances is punished by fine not exceeding \$10 or imprisonment not exceeding thirty days. (C. 3. In effect, February 9, 1917.)

Ohio.—A steam railroad company shall, before disciplining or discharging an employee upon a report by a special agent, detective, or spotter employed by it, give notice and an opportunity to be heard to the employee. (P. 603. In effect, July 1, 1917.) Whoever requests or accepts a fee, gift, or beneficial act, or promise of the

same, with an understanding that he as a principal, agent or employee shall secure for another work with his principal or employer, or secure an advance in pay or position, or prevent discharge or reduction in pay or position, is guilty of a misdemeanor. The industrial commission is to enforce the act. Penalty, for a first offense, \$25-\$100; for subsequent offenses, \$100-\$500. (P. 614. In effect, July 1, 1917.)

Tennessee.—It is a misdemeanor to misrepresent to an employee the amount of wages he is to receive on entering into a new contract with a different employer or to fail to give bond to county court sufficient to cover difference between old and promised new wages and also to give bond sufficient to protect old employer against loss by removal of employees through fraudulent promise or contract. (C. 48. In effect, March 30, 1917.)

United States.—The provision that no part of the appropriations made therein shall be available for the pay of any officer or other person having charge of the work of any employee of the United States while making or causing to be made with a stop-watch or time measuring device a time study of any job of such employee or of his movements while engaged upon such work, or for any premium or bonus to any employee in addition to his regular wages, except for suggestions resulting in improvement or economy in the operation of any government plant is contained in the fortifications act (C. 54, 64th Congress, 2nd session. In effect February 14, 1917), the naval appropriation act (C. 180, 64th Congress, 2nd session. In effect March 4, 1917), the army appropriation act (Public 11, 65th Congress, 1st session. In effect, July 1, 1917), and the sundry civil appropriation act (Public 21, 65th Congress, 1st session. In effect, July 1, 1917).

COLLECTIVE BARGAINING

An interesting tendency is disclosed in a few northwestern states to free strikes from injunctions and at the same time to punish violence severely. Acts in Utah and Minnesota legalize labor unions and limit the issuance of injunctions in labor disputes. Minnesota and Idaho enact statutes defining criminal syndicalism and punishing severely its advocacy or teaching, while Idaho makes a specific application of the doctrine a crime. New Hampshire prohibits strikes or lockouts during the war in establishments making military supplies,

strengthens the law requiring statement of the existence of a labor dispute in advertisements for workers, and provides that mediation and arbitration proceedings shall not be evidence before any other tribunal. California provides that the home defense guard is not to be used in strikes. The new industrial commission in Utah is created to promote voluntary arbitration of labor disputes, and the joint committees of the Georgia legislature are asked to aid in settling a railroad strike.

I. TRADE DISPUTES

California.—The home defense guard created for the war is not to be used in strikes or industrial disputes. (C. 689. In effect, May 28, 1917.)

Georgia.—The house and senate committees on the state of the republic, in the state legislature, are requested to assist in settling the dispute on the Georgia, Florida, and Alabama Railway. (Res. 10. In effect, August 18, 1917.)

Idaho.—A person who wilfully drives any metallic substance against timber intended to be manufactured into boards is subject to a fine and imprisonment. Penalty, \$5,000, or imprisonment for six months to five years. (C. 136. In effect, May 9, 1917.) Criminal syndicalism is defined as the doctrine which advocates crime, sabotage, violence, or unlawful methods of terrorism as a means of accomplishing industrial or political reform. Advocacy of such doctrine by word of mouth or writing, assembling to teach such doctrines, organizing society for purpose of teaching such doctrines, and deliberate justification of acts, are felonies. Maximum penalty, \$5,000, imprisonment for ten years, or both. Permission knowingly to use building is a misdemeanor. Maximum penalty, \$500, or imprisonment for one year, or both. (C. 145. In effect, May 9, 1917.)

Kansas.—For vagrancy act which may have a bearing on trade disputes, see "Unemployment," p. 554.

Maryland.—See "Unemployment," p. 554.

Minnesota.—Criminal syndicalism is defined and punished by an act similar to that of Idaho. (C. 215. In effect April 13, 1917.) Labor organizations are not unlawful. Injunctions may not be issued in disputes as to terms of employment save to prevent irreparable injury to property and may not issue to prevent termina-

tion of employment. Labor is declared not a commodity or article of commerce. Persons may not be indicted for entering wage agreement with other workmen for bettering conditions unless such act is illegal if done by single individual. The act shall not curtail the power of the executive or the courts if irreparable injury to business or property is threatened by violence or unlawful acts or acts involving criminal syndicalism, defined as the doctrine advocating crime, sabotage, violence or unlawful terrorism to accomplish social, industrial or political reform. (C. 493. In effect, April 21, 1917.) (See also "Unemployment," p. 555.)

New Hampshire.—Strikes and lockouts are prohibited during war time in factories, shops, and munition plants where materials are being made up for the army or navy or for the military or naval service of the state. (C. 146. In effect, April 12, 1917.) The law prohibiting employers from advertising for employees during a strike or lockout without stating that the dispute exists is re-enforced by prohibiting any one from publishing or circulating such an advertisement unless it complies with the law. Penalty, \$25, to be recovered by the commissioner of labor for the benefit of the bureau of labor. (C. 99. In effect, March 27, 1917.) Proceedings of hearings before labor commissioner in labor disputes may not be used as evidence in judicial proceedings before any other court or tribunal. (C. 142. In effect, April 10, 1917.)

Utah.—Labor unions are legalized. The act prohibits the issuance of injunctions unless they are necessary to prevent irreparable injury to property or to a property right of the party making application where there is no adequate remedy at law. Injunctions shall not prohibit persons, whether singly or in concert, from terminating any conditions of employment or from ceasing to perform any work or labor. The injunction must not interfere with persons peacefully obtaining or communicating information or peacefully persuading persons to work or to abstain from working. They shall not interfere with the doing of any act or thing which might lawfully be done in the absence of the industrial dispute. In all cases where contempt is charged, unless the contempt be committed in the immediate presence of the court, the accused shall be entitled to a jury trial upon demand. It is declared that the labor of a human being is not a commodity or article of commerce. (C. 68. In effect, May 8, 1917.) The new industrial commission as

successor to the board of conciliation and arbitration is directed to do all in its power to promote voluntary arbitration between employers and employees. (C. 100. In effect, July 1, 1917.)

MINIMUM WAGE

Colorado confers upon its industrial commission the power to determine minimum wages for women and children in various industries either directly or by wage boards. Arizona fixes in the law a flat rate minimum wage for women, and Washington adds the telegraph industry to those in which the industrial welfare commission may fix wage standards for women and minors. A commission to study the minimum wage, among other matters, is established in Connecticut. California establishes \$3 as a minimum wage in certain public work; while Nevada changes the compensation for road work from \$3 "to the current wage rate" with extra pay for extra work. Pennsylvania, Hawaii, and the United States order wage increases for certain public employees.

(1) PUBLIC WORK

California.—The act authorizing the creation of highway districts provides that in the construction of highways \$3 shall be the minimum wage for a day's work. (C. 52. In effect, June 4, 1917.)

Hawaii.—Minimum day's pay of laborers on works for the territory or a subdivision is raised from \$1.50 to \$2. (C. 194. In effect, July 1, 1917.)

Nevada.—The law as to compensation and hours of work on public roads is amended, changing compensation from \$3 a day to the current wage rate for day's work in a district, and authorizes more than eight hours in cases of emergency with extra compensation for extra time. (C. 205. In effect, March 24, 1917.)

Pennsylvania.—Certain counties are required to increase the salary of all employees receiving less than \$1,500 a year by at least \$150. (No. 400. In effect, January 1, 1918.)

United States.—Employees in the legislative, executive and judicial departments of the government are granted an increase in pay for the fiscal year 1918, 10 per cent to employees who receive salaries of less than \$1,200, and 5 per cent to employees who receive salaries between \$1,200 and \$1,800. (Public 381, 64th Congress, 2nd session. In effect, March 3, 1917.)

(2) PRIVATE EMPLOYMENT

Arizona.—A minimum wage of \$10 weekly is fixed for women in stores, offices, shops, restaurants, dining rooms, hotels, rooming houses, laundries, or manufacturing establishments. Violation is misdemeanor. Penalty, \$50-\$300, imprisonment ten to sixty days, or both. (C. 38. In effect, June 6, 1917.)¹

Colorado.—The act of 1913 establishing a wage board is repealed. It is made unlawful to employ women at wages inadequate to "supply the necessary cost of living and maintain in health the women so employed" or minors "for unreasonably low wages" or either women or minors "under conditions of labor detrimental to their health or morals." The industrial commission is made a minimum wage commission to inquire into wages and conditions of labor of women and minors under eighteen. The commission must investigate any conditions in any occupation at the request of twenty-five persons engaged therein. After investigation the commission may fix minimum wages which shall be living wages and also standards and conditions of labor; what are unreasonably long hours and unreasonably low wages for minors. The commission may establish a wage board for any occupation to consist of not more than three representatives of employers, three representatives of the female employees, three representatives of the public, and one representative of the commission. The representatives of employers and employees shall be chosen through election subject to approval and selection by the commission. The wage board by majority vote shall fix minimum wages and the commission shall review its report and if it approves shall hold a public hearing after which it shall make an order adopting the report as to wages and conditions of employment. There is a penalty of \$200-\$1,000 for any employer who discharges or threatens to discharge or discriminates against an employee who serves on a wage board or who has testified or is about to testify. The payment of less than the minimum wage fixed is a misdemeanor punishable by a fine not less than \$100, or imprisonment not less than thirty days, or both. In a prosecution for violation the minimum wage is *prima facie* presumed to be reasonable and lawful, and the findings of fact made by the commission conclusive. An employee receiving less than the legal mini-

¹ A referendum petition has been filed against this act, and on October 1, 1917, the petition was before the courts on question of its legal efficiency.

imum wage may recover in a civil action the full amount of the minimum wage. A provision is made for special license to physically defective or old women to work for less than the minimum wage in occupations in which a time rate has been established. (C. 98. In effect, April 20, 1917.)

Connecticut.—For appointment of a commission to study minimum wage and other matters, see "Social Insurance," p. 595.

Washington.—For extension of the minimum wage law to the telegraph industry, see "Administration of Labor Laws, p. 604.

HOURS

Acts regulating the hours of labor of women and minors or strengthening or extending the application of existing laws upon that subject are passed in about fifteen states, Montana and Nevada adopting the eight-hour standard for women. The one exception to the tendency to strengthen restrictions is in Wyoming, where the repeal of several provisions of the existing law and the general amendment of most of the others leaves women's legal working hours probably longer than before. The New Hampshire statute reducing women's and children's hours does not apply in the manufacture during war time of munitions for the United States or the state, and Pennsylvania, in an act the effect of which is not limited to the duration of the war, authorizes the industrial board to modify the law. Alaska establishes a universal eight-hour day for all workers, and Kansas provides an eight-hour day for men in lead and zinc mines. Three states establish or extend the eight-hour day on public work. Congress authorizes the President to suspend the eight-hour day on public contracts during national emergency, provided time and one-half is paid for overtime. A number of statutes are enacted dealing with rest periods in public or private employment.

I. MAXIMUM HOURS

(1) PUBLIC WORK

California.—The act authorizing the creation of highway districts provides that in the construction of highways in such districts eight hours shall constitute a day's work. (C. 52. In effect, June 4, 1917.)

Minnesota.—In cities of the first class not operating under home

rule charters, firemen shall not be required to be on duty over fourteen hours a day except on days when night and day shifts are being exchanged, and shall not be subject to call out of regular hours, except in great emergency. (C. 91. In effect, March 22, 1917.)

Missouri.—In cities of the first class men in the fire department shall be divided into two platoons and twelve hours shall constitute the time of regular service for the members of each platoon during any one day of twenty-four hours. (P. 351. In effect, June 17, 1917.)

Montana.—The eight-hour law for work on undertakings carried on or aided by any municipal, county, or state government is amended by adding school districts of the first class and by extending its provisions to "all janitors, engineers, firemen, caretakers, custodians and laborers, employed in or about any building, courts or grounds used or occupied for any purpose by any municipal, county or state government, school district of the first class," etc. (C. 30. In effect, February 15, 1917.) The continuous employment of firemen in cities of the first and second class is limited to fourteen hours in each twenty-four hour day. (C. 91. In effect, February 28, 1917.)

Oregon.—The law limiting the hours of labor on public work to eight a day and forty-eight a week is amended by providing that in the operation or repair of any plant owned and operated by a municipality having a population of more than 1,000 inhabitants the hours may be more than eight a day but not more than fifty-six a week. (C. 98. In effect, May 16, 1917.)

Porto Rico.—For eight-hour day on public work, see "Administration of Labor Laws—United States," p. 605.

United States.—The President is authorized in case of national emergency to suspend provisions of laws prohibiting more than eight hours' labor in any one day of persons engaged upon work covered by contracts with the United States, in which case the wages of persons so employed shall be computed upon a basic day of eight hours with time and one-half for overtime. (C. 180, 64th Congress, 2nd session. In effect, March 4, 1917.)

(2) PRIVATE EMPLOYMENT

Alaska.—Period of employment for all wage and salary-earners in the territory shall not exceed eight hours in one calendar day

except where life or property is in imminent danger. Employment includes performance of labor for a partnership by a partner or for a corporation while stockholder or officer thereof. At the request of the Council of National Defense the governor may suspend or modify the law for a specified period not longer than the duration of the present war or any future war with a foreign power. Violation is a misdemeanor. Penalty, \$100-\$500, or imprisonment for sixty days to six months, or both, for each day's violation. (C. 55. In effect, January 1, 1918.) Employment in underground mines or workings is declared to be "injurious to health and dangerous to life and limb," so that employment is limited in any twenty-four hours to eight hours of actual labor, not including intermission for meals or time going to or coming from the place underground where work is actually done. Employing or causing to be employed any person in violation of the act is a misdemeanor. Penalty, on first conviction, \$100-\$500, or imprisonment sixty days to six months, or both; on second conviction, imprisonment sixty days to one year. Second conviction is a conviction within two years after the previous conviction. Every day's violation is a separate offense. (C. 4. In effect, May 1, 1917.)

California.—The women's hours of labor law is amended by adding public lodging houses, apartment houses, hospitals, and places of amusement to the establishments to which the eight-hour law applies. Graduate nurses in hospitals and women employed in the fish industry are excluded, but this exclusion and that for the fruit and vegetable industries are limited to periods when it is necessary to work to prevent spoiling of the products. (C. 582. In effect, July 22, 1917.)

Connecticut.—No public restaurant, cafe, barber shop, hairdressing or manicuring establishment or photograph gallery shall employ a minor under sixteen or a woman between 10 P. M. and 6 A. M. or more than forty-eight hours a week. The hours of labor of such minors or females shall be posted in the establishment. The act does not affect hotels. (C. 300. In effect, January 1, 1918.) No person under eighteen shall be employed by a telegraph or messenger company in cities of 20,000 or over to deliver goods or messages between 10 P. M. and 5 A. M. Penalty, \$20 for each day of such employment. (C. 261. In effect, August 1, 1917.) For appointment of a commission to study hours of labor and other matters, see "Social Insurance," p. 595.

Delaware.—The women's hours of work law is extended to apply to any "restaurant, hotel, place of amusement, dressmaking establishment or office." Provisions prohibiting work between 10 P. M. and 6 A. M. or more than six days in any calendar week; requiring thirty minutes for midday or evening meal, which period shall not be considered a part of the hours of labor; and prohibiting any requirement that employees must remain in workrooms during hours allowed for meals, are added. (C. 230. In effect, March 22, 1917.)

Illinois.—The law relating to the employment of children under fourteen is amended to prohibit employment between 6 P. M. and 7 A. M., instead of between 7 P. M. and 7 A. M. as formerly. (P. 511. In effect, July 1, 1917.) For creation of commission to study women's hours, see "Miscellaneous Legislation," p. 529.

Kansas.—An owner, manager, *etc.*, requiring or permitting any person to work more than eight hours a day in any lead or zinc mine, except in emergencies, is guilty of a misdemeanor punishable by a fine of \$10-\$500. It is made a separate offense as to each person so working. (C. 242. In effect, February 19, 1917.) Hotels, restaurants and mercantile establishments are added to the employments in which children under sixteen may not work before 7 A. M. or after 6 P. M., or over eight hours a day or forty-eight hours a week. (C. 227. In effect, May 26, 1917.)

Massachusetts.—Girls under twenty-one employed as operators in regular service telephone exchanges may work up to 11 o'clock at night; ordinarily girls under twenty-one may not work after 10 o'clock. (C. 294. In effect, June 23, 1917.)

Minnesota.—The act making it a misdemeanor for an employer to compel an employee to work more than ten hours a day is amended by increasing from fourteen to sixteen the age over which persons may labor extra hours for extra pay. (C. 248. In effect, April 14, 1917.)

Montana.—The employment of women in any manufacturing, mechanical or mercantile establishment, telephone exchange room or office, or telegraph office, laundry, hotel or restaurant for more than eight hours in any day is prohibited, except that in retail stores during the week before Christmas ten hours is permitted. Violation is a misdemeanor. Penalty, \$50-\$200, or imprisonment from ten to sixty days, or both. (C. 18 and C. 70. In effect, April 1, 1917.)

Nevada.—The employment of women in any manufacturing, mechanical, or mercantile establishment, hotel, public lodging house, apartment house, amusement place or restaurant or by express or transportation companies for more than eight hours during any one day or fifty-six hours in one week, is prohibited. The law does not apply to harvesting, curing, canning or drying of perishable fruit or vegetables nor to nurses, nor to nurses in training in hospitals. Violation is a misdemeanor. Penalty, for a first offense, \$25-\$50; for a second offense, \$100-\$250, or imprisonment for not more than sixty days, or both. (C. 14. In effect, February 14, 1917.)

New Hampshire.—The provisions relating to the hours of labor of women and minors are revised generally. The hours permitted in any one week for women and for minors under eighteen are reduced from fifty-five to fifty-four, and the application of the provision is extended from a list of specified establishments to work at manual or mechanical labor in any employment, except household labor and nurses, domestic, hotel and boarding house labor, telegraph and telephone operators, and farm labor. The restriction to not more than eight hours a day or forty-eight hours a week in the case of females employed at night work is extended to apply also to minors under eighteen. The exception from the application of these provisions allowed to mercantile establishments during the seven days before Christmas is limited to regular employees. The provisions fixing the time to be allowed for meals, and permitting time lost because of accidents in manufacturing establishments to be made up outside of regular hours, are omitted, and a provision is added that when a female or minor is employed by more than one employer during the same day or week, the total time of employment shall not exceed that allowed in a single employment. The provisions upon this subject are not to apply during war time to labor performed entirely on the manufacture of munitions or supplies for the United States government or for the state of New Hampshire. (C. 196. In effect, January 1, 1918.)

New York.—In first and second class cities no female over sixteen shall be employed, permitted or suffered to work in or in connection with a restaurant more than six days or fifty-four hours a week or more than nine hours a day, or before 6 A. M. or after 10 P. M. Performers, attendants in ladies' cloak rooms or parlors, and

women employed in dining rooms or kitchens of hotels or in lunch-rooms conducted by employers for their employees are excepted. (C. 535. In effect, October 1, 1917.)

Ohio.—The law relating to hours of labor for women employed in factories, *etc.*, is amended by reducing daily hours from ten to nine and weekly hours from fifty-four to fifty; by prohibiting employment for more than six days in any week; by making these provisions of this section apply also to mercantile establishments in cities, except that on Saturday ten hours' employment may be permitted in such establishments; and by restricting the exemption of canneries to the season during which they are engaged in canning. (P. 149. In effect, June 27, 1917.)

Oregon.—The women's ten hour a day and sixty hour a week law is amended by excepting women employed in harvesting, packing, curing, canning or drying perishable fruit, vegetables or fish, but if employed over ten hours a day, such women shall be paid time and a half for overtime and pieceworkers one and one-half the regular prices. Chapters 35 and 62 of the laws of 1913 are repealed in so far as they authorize the industrial welfare commission to regulate the hours of employment of women in the industries specified. (C. 163. In effect, May 20, 1917.)

Pennsylvania.—For authority to modify the women's hours of labor law, see "Administration of Labor Laws," p. 602. For regulation of hours in compressed air work, see "Safety and Health," p. 570.

Tennessee.—Children between fourteen and sixteen are not to be employed in mills, factories, workshops, canneries, laundries, telegraph and telephone offices or in the distribution or transmission of merchandise or messages, more than eight hours a day or six days a week, or before 6 A. M. or after 7 P. M. (C. 77. In effect, May 17, 1917.)

Texas.—For regulation of children's hours, see "Safety and Health," p. 559.

Utah.—The hours of labor of children under sixteen are lowered from fifty-four to forty-eight a week and they may not work more than eight hours in any one day. (C. 80. In effect, May 8, 1917.)

Vermont.—The employment of children over sixteen is prohibited for more than eight hours a day, or more than six days, instead of fifty hours, in any week, or before 6 A. M. or after 7 P. M.

Children over sixteen and under eighteen, and women, are not to be employed in a mine or quarry or a manufacturing or mechanical establishment more than ten and one-half hours a day or fifty-six hours a week (formerly eleven hours a day or fifty-eight a week). The extension of this provision to mines and quarries is new. (No. 177. In effect, February 1, 1918.)

Washington.—The telegraph industry is added to the telephone industry in the law authorizing the industrial welfare commission to establish standards of hours of work for women and minors in rural communities and in cities of less than 3,000. (C. 29. In effect, June 7, 1917.) For eight-hour law in coal mines, see "Safety and Health," p. 571.

Wyoming.—The law relating to the hours of women's work is amended by increasing the hours permitted in any one week from fifty-six to sixty, and omitting the prohibition of more than ten hours in any day. A provision is added, however, that those who work seven days a week shall not work more than ten hours a day, and those working six days a week shall not work more than fifty-two hours a week nor more than ten hours a day. The provisions of the old law limiting the daily work to within a period of twelve hours; requiring a period for lunch not less than one-half hour nor more than two hours, prohibiting employment without rest for more than six hours or more than two days a week of more than ten hours each, and exempting telephone offices employing three females or less and hotels and restaurants operated by railroad companies, are repealed. (C. 106. In effect, March 1, 1917.)

2. REST PERIODS

(1) PUBLIC WORK

California.—Any employee of a municipal corporation whose hours of labor exceed 120 in a calendar week shall be allowed three hours off for meals every twenty-four hours without deduction of salary. Violation by officer or agent of a municipality is misdemeanor. (C. 783. In effect, July 30, 1917.)

Texas.—Cities of 30,000 or over are required to give paid firemen an annual vacation of fifteen days. (C. 185. In effect, June 19, 1917.)

Wisconsin.—Every city not having the two platoon or double shift shall allow each fireman one full rest day of twenty-four con-

secutive hours in each seventy-two hours in first class cities, in each ninety-six hours in second and third class cities, and in each 168 hours in fourth class cities. (C. 521. In effect, January 1, 1918.)

United States.—The post office appropriation bill provides that when the needs of the service require the employment on holidays of "special clerks" in first and second class post offices, foremen, watchmen, messengers or laborers, they shall be allowed compensatory time off on one of the thirty days next following the holiday on which they performed such service. (Public 380, 64th Congress, 2nd session. In effect, March 3, 1917.)

(2) PRIVATE EMPLOYMENT

Connecticut.—Every person who requires an employee to do any secular business or labor, except works of necessity or mercy, between midnight Saturday and midnight Sunday shall be fined not more than \$50. The old law prohibited the keeping open of places of employment or the doing of work. (C. 352. In effect, August 1, 1917.)

Delaware.—For rest periods for women, see "Maximum Hours," p. 546.

Massachusetts.—The law providing for meal intervals for women and children is amended. Formerly it was provided that no woman or young person should be employed for more than six hours without an interval of at least one-half hour for a meal. As amended the act applies to women and persons under eighteen years of age, and requires an interval of at least forty-five minutes. (C. 110. In effect, April 21, 1917.)

Pennsylvania.—For authority to modify law providing rest periods for women, see "Administration of Labor Laws," p. 602.

Wyoming.—For repeal of provisions requiring rest periods for women, see "Maximum Hours," p. 549.

UNEMPLOYMENT

Investigations are instituted into the subject of unemployment in North Carolina and Oregon, and into public employment offices in Connecticut. Establishment of public employment agencies is provided for in Arizona, Arkansas, Georgia, New Hampshire, North

Carolina, South Dakota, and Utah and existing systems are expanded in certain other states and under the federal Department of Labor. Four states authorize the cooperation of state and federal employment authorities. Half a dozen states take up the regulation of private commercial agencies. A new development is the attention which has been directed in several states toward forcing jobs upon those who do not want them. Kansas and Minnesota strengthen their vagrancy laws in this respect, while Maryland and West Virginia, in their so called "lazy man's laws," require all able-bodied men in time of war to register and engage in some useful work. The Kansas act may have an important effect in the field of industrial disputes as it includes as vagrants those who threaten violence or personal injury to fellow-workmen or employers of labor, but the Maryland act expressly provides that it shall not apply to persons temporarily unemployed by reason of a difference with their employers. Oregon memorializes the President against the "dead line" in government and public service employment. Pennsylvania prepares for possible industrial depressions by creating a fund for public works during such periods.

I. PRIVATE EMPLOYMENT OFFICES

Arkansas.—For regulation of private employment agencies see "Public Employment Offices," p. 552.

Georgia.—For regulation of private employment agencies see "Public Employment Offices," p. 552.

Michigan.—The act regulating private employment agencies is amended to provide that the bond of \$1,000 required need not be a surety bond but may be a personal bond with two sureties. (No. 244. In effect, August 9, 1917.)

Nebraska.—The act of 1915 regulating private employment agencies which was declared unconstitutional is reenacted with a saving clause to prevent invalidity of whole because of invalidity of part and with unconstitutional provisions altered. The section forbidding importation of labor from without the state is omitted. (C. 199. In effect, April 25, 1917.)

Oklahoma.—A license is required of all private employment agencies and a surety bond of \$500 must be furnished. Registration fees are prohibited, and the fee for procuring employment shall not exceed 5 per cent of the first month's wages where the employ-

ment is for one month or more, and in all other cases the maximum fee shall not be more than \$1. The law is enforced by the commissioner of labor. (C. 181. In effect, February 19, 1917.)

Tennessee.—A law is passed for the regulation of private employment agencies. Licenses are required and each licensee must furnish a bond of \$1,000 conditioned upon the faithful observance of the law. All fees must be returned to applicants if no positions are secured for them within ten days after application. (C. 78. In effect, April 7, 1917.)

Utah.—The industrial commission is authorized to license and supervise private employment offices, and to establish and conduct free employment agencies. (C. 100. In effect, July 1, 1917.)

2. PUBLIC EMPLOYMENT OFFICES

Arizona.—The state board of control is authorized to establish free employment offices and to conduct them "in cooperation with, and under the established rules and regulations of the Department of Labor of the United States." (C. 21. In effect, June 6, 1917.)

Arkansas.—The commissioner of labor shall conduct a free public employment bureau, including branches provided they are operated without cost to the state. Specifications for record books are given, and advertising is authorized. Private agencies must pay a license fee of \$5 yearly and give bond for \$250. They must keep registers showing specified details, and may charge no more than \$2 registration fee, which must be returned on demand within thirty days if no place has been found for applicant within a month. All moneys received by the commissioner of labor are to be paid into the state treasury. Violation is a misdemeanor. Penalty, \$10-\$25 for each offense, or imprisonment not more than thirty days, or both. (Act 11. In effect, January 22, 1917.)

Colorado.—An additional public employment office is created. (C. 76. In effect, June 28, 1917.)

Connecticut.—For appointment of a commission to study public employment bureaus and other matters, see "Social Insurance," p. 595.

Georgia.—The commissioner of commerce and labor shall organize a "division of labor or free employment bureau," in conducting which he may cooperate with any non-profitmaking private employment bureau or any municipal or county agency within or without the state, and with the United States Employment Service.

Officials of the state and its counties must give any assistance called for by the commissioner. The commissioner must also license annually and inspect profit-making private employment agencies. Such agencies must file a bond for \$500, and must report monthly the number of placements, fees charged, and other details. The commissioner is to license annually and inspect "immigrant agents" who send labor out of the state. These agents must file a bond for \$1,000, and report monthly, among other points, by whom they are employed, whether paid a salary or commission, and how much commission. The commissioner must cancel the license of, and present to the proper authorities for prosecution, any agent in either class found violating the law. Violation, or false statement to any officer of a public employment bureau, is a misdemeanor. (No. 209. In effect, August 21, 1917.)

Illinois.—The department of labor is required to seek to provide employment for all discharged inmates of the penal or reformatory institutions. (P. 518. In effect, July 1, 1917.)

Minnesota.—The commissioner of labor is empowered to cooperate with the federal government and any municipality in establishing employment bureaus. (C. 113. In effect, March 26, 1917.)

New Hampshire.—The commissioner of labor shall establish free employment offices for both male and female labor. Preference is to be given to residents of state. (C. 198. In effect, May 1, 1917.)

New York.—It is made mandatory for the industrial commission to organize separate departments for juveniles in all first and second class city branch employment bureaus. The sum of \$15,000 is appropriated. (C. 749. In effect, June 5, 1917.)

North Carolina.—For creation of a state board of charities and public welfare, among whose duties is finding employment for the unemployed, see "Miscellaneous," p. 555.

South Dakota.—The industrial commissioner, created to carry out the workmen's compensation act, is also directed to assist employers of labor to secure laborers, assist laborers to secure positions, and "cooperate with the United States Department of Labor and agencies of this state in maintaining a free employment service." (C. 376. In effect, May 12, 1917.)

Utah.—The industrial commission is required to conduct free employment agencies. (C. 100. In effect, July 1, 1917.)

United States.—An appropriation of \$250,000 is made "to enable the secretary of labor, during the present emergency, in addition to

existing facilities, to furnish such information and to render such assistance in the employment of wage-earners throughout the United States as may be deemed necessary in the prosecution of the war." (Public 64, 65th Congress, 1st session. In effect, October 6, 1917.)

3. PUBLIC WORK

Pennsylvania.—The governor, auditor general, state treasurer, and commissioner of labor and industry, are constituted a commission to be known as the emergency public works commission to manage a fund to provide increased opportunities for employment in "useful public works during periods of extraordinary unemployment caused by industrial depression." The commission shall get tentative plans for extension of public works during periods of unemployment from the various departments of the state. The industrial board shall keep informed and in touch with unemployment and report to the governor extraordinary unemployment caused by industrial depression; the commission is then authorized to distribute the fund among the departments for the extension of public works. The commissioner of labor and industry, when the industrial board has found that a period of extraordinary unemployment exists, shall make lists of applicants for public employment for transmission to the departments in charge of the work. No person shall be given employment under the act who is not a citizen of the United States and who has not been a resident of the state for six months prior to his application. The \$50,000 appropriated was reduced by the governor to \$40,000 because of insufficient revenue. (No. 411. In effect, July 25, 1917.)

4. MISCELLANEOUS

Kansas.—A vagrant is defined as "any person engaged in any unlawful calling whatever, or who shall be found loitering without visible means of support in any community, or who, being without visible means of support shall refuse to work when work at fair wages is to be procured in the community, or who shall threaten violence or personal injury to fellow workmen or employers of labor." Penalty, \$100-\$500 and imprisonment for thirty days to six months. (C. 167. In effect, April 3, 1917.)

Maryland.—All able-bodied men between eighteen and fifty not usefully employed may in time of war be required to register and

to work in some public or private employment. Failure to register is made a misdemeanor punishable by a fine of not more than \$50, and failure to do the work assigned is punished by a fine of not more than \$500 or imprisonment for not more than six months, or both. Possible use of the act to conscript strikers and put them to work is guarded against by a provision that the act is not to apply to persons temporarily unemployed by reason of a difference with their employers. (C. 33. In effect, June 28, 1917.)

Minnesota.—The definition of vagrant is extended to include a person who wanders about taverns, groceries, market places, barns or other uninhabited buildings and can give no good account of himself, also a person over sixteen and not blind who has not resided in a county during six months previous, and not having visible means of maintenance lives without employment or begs or receives alms. (C. 292. In effect, April 17, 1917.)

North Carolina.—A state board of charities and public welfare is created, among the duties of which are to study the subjects of non-employment, poverty and vagrancy, and to encourage the employment by counties of superintendents of public welfare. One of the duties of such superintendents is to assist the state board in finding employment for the unemployed. (C. 170. In effect, March 6, 1917.)

Oregon.—A special committee is appointed to investigate unemployment and poverty in Oregon and to recommend legislation "to the end that, as far as possible, any and all human beings within this state shall be provided opportunity to secure the necessities of life in return for labor requisite to their production." This committee is to consist of the presidents of the agricultural college, the state university, the farmers' union, the federation of labor, the master of the grange, and a representative chosen by the several commercial clubs and chambers of commerce within the state. (H.C.R. 15. In effect, February 20, 1917.) The President of the United States is memorialized in favor of a strong national sentiment "opposing the obnoxious and unfair rules and regulations now existing in various branches of our government as well as in public service corporations whereby men of ability and efficiency are prevented from obtaining employment because of the age limit." (H. J. Mem. No. 2.)

West Virginia.—Every able-bodied male resident between sixteen and sixty must habitually and regularly engage in some use-

ful occupation or employment whereby he may produce or earn sufficient to support himself and his legal dependents. Until six months after the end of the war with Germany any such person who fails so to do for at least thirty-six hours a week shall be deemed a vagrant. Neither possession by the accused of money or property sufficient to support him and his dependents, nor inability to obtain employment, shall be a defense unless in the latter case the accused promptly notified the proper state officer and requested that employment be found for him. Each week or portion thereof that such person continues a vagrant shall constitute a separate offense. Maximum penalty, \$100, or sixty day's labor on the roads or other public work. (C. 12, 2nd special session. In effect, August 17, 1917.)

SAFETY AND HEALTH

Legislation on child labor shows a steady tendency to increase the number of prohibited employments and to raise the minimum age at which children may work. Arkansas and Vermont authorize certain officials to make rules which must comply substantially with any rules made under the federal law. Michigan creates a commission to investigate child labor. California, Texas, and Delaware expressly exempt farm labor from statutes prohibiting child labor. The movement toward establishing a simple standard of safety in the statutes and granting broad power to an administrative officer to make regulations for its application is frequently exemplified in this year's legislation. In Utah "safe" is defined and the industrial commission authorized to "fix and order" such reasonable standards of construction and maintenance of places of employment as shall make them safe. Idaho gives its industrial board the same power and in addition authorizes it to prescribe safety devices necessary to safeguard employees. New Hampshire requires the employer to do everything reasonably necessary to lessen the danger to safety and health in his plant and authorizes the commissioner of labor to make the rules necessary and proper to apply this general standard. Wyoming requires the commissioner of labor to establish such safeguards to machinery for the proper "safeguard of life and limb" as he may deem necessary, and also requires fire escapes to be safe and suitable. In West Virginia the chief of the department of mines is authorized to make rules and

regulations necessary to secure safe and sanitary working conditions in sand and clay mines, quarries, and cement works. Detailed safety and health provisions are, however, not entirely unrepresented. Montana provides in detail for the protection of employees in connection with electrical apparatus. Rhode Island amends the factory inspection laws to make certain requirements more definite instead of leaving them to the discretion of inspectors, and in Washington a comprehensive coal mining code contains detailed safety provisions for mines. Pennsylvania passes an elaborate compressed air statute.

I. PROHIBITION

(1) EXCLUSION OF PERSONS

Arkansas.—The person authorized to issue employment certificates may amend regulations for securing proper evidence of age, provided changes conform to regulations issued under the federal child labor act. (Act 391. In effect, March 24, 1917.)

California.—The child labor act is amended by expressly providing that it shall not apply to the employment of minors sixteen and over at farm or domestic labor. (C. 580. In effect, July 11, 1917.) Plumbers must get licenses from county boards to be appointed by the state board of health and to consist of one master plumber, one journeyman plumber, and a practicing physician. No plumber may install any plumbing in a city or town with a public sewer system without a certificate. Violation is a misdemeanor. (C. 65. In effect, June 5, 1917.)

Delaware.—The article of the revised code relating to child labor is amended generally, its provisions being made applicable to any place in which work is done for compensation; but farm and domestic service are expressly excepted. The minimum age for work in canning establishments engaged in canning or preserving perishable fruits or vegetables is fixed at twelve years and the minimum age for work in other canning establishments is increased from twelve to fourteen years. No child under sixteen, instead of fourteen, is to be employed without an employment certificate. Except under a permit of the child labor inspector no child under sixteen is to be employed on the stage. No person under eighteen, instead of fifteen, is to be employed on specified electric work and railroad work or in powder factories. (C. 232. In effect, April 2, 1917.)

Illinois.—The law relating to employment of children is amended. Employment certificates are now required instead of "age" and school certificates as formerly. Previously a child was required to be able to read and write but now he must complete the fifth grade. (P. 511. In effect, July 1, 1917.)

Kansas.—The child labor law is amended by adding mill and cannery to the list of employments prohibited for children under fourteen years of age. (C. 227. In effect, May 26, 1917.)

Maine.—The law providing for the issuance of employment certificates to children is amended by providing that if a minor is unable to produce the evidence of age specified in the existing law, the officer authorized to issue work permits may issue on other documentary evidence of age approved by the state commissioner of labor and satisfactory to the issuing officer. (C. 146. In effect, July 7, 1917.)

Michigan.—The provision under which children aged fourteen or over are permitted to work during vacation periods is amended by permitting such work "on Saturdays or other days during the school year, outside of school hours" and by extending the provision to include any mercantile institution, store, office, hotel, laundry, manufacturing establishment, factory or workshop, telegraph or messenger service. The act also makes some detailed changes in the laws relating to employment certificates. It also provides that when continuation classes are established for minors under sixteen years of age working as permitted by law or out of school with permission to help at home, every such child residing in any city in which such classes are established shall attend not less than four hours a week, and every employer shall allow all minor employees under eighteen years of age who have not completed the eighth grade a reduction in hours of work of not less than the number of hours the minor is required to attend school. (No. 280. In effect, August 9, 1917.) A child welfare commission of three members to be appointed by the governor to investigate child welfare in general is required to include among its studies "the conditions under which children are forced or permitted to perform labor in their homes or elsewhere, with or without remuneration." (No. 293. In effect, August 9, 1917.)

New York.—This act provides for transmission by commissioner of labor to school superintendents of lists of work certificates granted. (C. 536. In effect, May 17, 1917.)

Oklahoma.—The law relating to the issuance of age and schooling certificates is amended so that the requirements for the proof of age are about the same as those usual in other states. (C. 182. In effect March 26, 1917.)

Porto Rico.—For exclusion of children under fourteen from certain occupations, see "Administration of Labor Laws—United States," p. 605.

South Carolina.—The section of the criminal code requiring statements of age in the case of children employed in factories, *etc.*, is amended by making it applicable to children under the age of sixteen (formerly fourteen). (No. 95. In effect, March 18, 1917.)

Tennessee.—Canneries are added to the establishments where employment of children under fourteen years of age is prohibited. Employment certificates are now required, instead of the affidavit of age made by the parent or guardian. The proof of age required in the issuance of employment certificates is the usual documentary proof required in other states. (C. 77. In effect, May 17, 1917.)

Texas.—The child labor law is generally amended. Children under fifteen may not work in any factory, mill, workshop, laundry, theater or other place of amusement, or in messenger service in towns or cities of more than 15,000 population (previously in manufacturing or other establishments using dangerous machinery or about the machinery in any mill or factory). The minimum penalty is decreased from \$50 to \$25 and a jail sentence of not more than sixty days is provided. For work in distilleries, breweries, and for sending children to disorderly houses, *etc.*, the minimum age is increased from fifteen to seventeen, and applies also to places where explosives are used. The maximum penalty is increased from \$200 to \$500 and a jail sentence not to exceed sixty days is provided. The minimum age for work in mines and quarries (seventeen years) remains unchanged. The employment of children under fifteen for more than ten hours in any one calendar day or for more than forty-eight hours in any one week is a misdemeanor. Penalty, \$25-\$200, or imprisonment not over sixty days, or both. Children over twelve years may receive permits from the county judge under certain conditions, *viz*: (1) when the child's earnings are necessary to support itself, its widowed mother, invalid father, younger children, or mother "in needy circumstances"; and (2) when the child can read and write English; and (3) when the child is physically able to do the work for which a permit is

sought; and (4) when the employment is not among those prohibited; and (5) guardian or parent must appear before county judge with the child before license is issued. Permits for the employment of children between twelve and fifteen years shall be posted in conspicuous places where the children are employed and must be renewed every six months. The act does not apply to the employment of children on farms nor to "nurses, maids, yard servants or others for private homes and families, regardless of their ages," nor to the working of school children of any age from June 1 to September 1, except in a factory, mill, workshop, theater, moving picture show, or other place of amusement and the occupations to which the seventeen year minimum is applicable under the act. (C. 59. In effect, June 19, 1917.)

Utah.—The minimum age for employment in certain dangerous, injurious and immoral occupations, and in public exhibitions, is raised from fourteen to sixteen years. (C. 80. In effect, May 8, 1917.)

Vermont.—The prohibition of the employment of women two weeks before or four weeks after childbirth, which formerly applied to manufacturing or mechanical establishments, is extended to mills, canneries, workshops, and factories. Children under fourteen are not permitted to work in canneries or manufacturing establishments, which are added to factories, mills, and workshops. Minimum age for employment in quarries is raised from fourteen to sixteen. The act gives the commissioner of industries power to make rules not in conflict with it which he deems "necessary and proper to secure satisfactory evidence" of the age of a child applying for an employment certificate, these rules to comply substantially with any rules made under the federal child labor law. (No. 177. In effect, February 1, 1918.)

Wisconsin.—The law relating to attendance of minors at vocational schools is amended so that the present requirement is attendance for at least eight hours a week for at least eight months and for such additional months or parts thereof as the other public schools in the city, town or village are in session in excess of eight during the regular school year, or the equivalent as may be determined by the local board of industrial education. Such attendance is now required not only of minors between the ages of fourteen and sixteen as heretofore, but of minors between the ages of four-

teen and seventeen unless indentured as apprentices as provided in the statutes or not regularly attending any other recognized school. This provision, however, does not become effective until September 1, 1918. The section relating to labor permits is amended by changing the maximum age from sixteen to seventeen with an exception in favor of those indentured as apprentices. The provisions of this section are also made to apply, in cities where a vocational school is maintained, to domestic service other than casual employment in such service. These permits are now to be issued by the industrial commission instead of the commissioner of labor or state factory inspector. Permits may be refused not only in case of children physically unfit as at present but also if in the judgment of the issuing authorities the best interests of the child would be served by such refusal. (C. 674. In effect, September 1, 1917.)

2. REGULATION

(1) FACTORIES, WORKSHOPS, AND MERCANTILE ESTABLISHMENTS

Arkansas.—The commissioner of labor must appoint an inspector of steam boilers, for two years at \$2,000 and expenses not to exceed \$1,000. Inspector must have ten years' experience as a boiler-maker, must not be interested in the manufacture, ownership or agency of boilers, and must give \$5,000 bond. He must inspect every boiler in the state once annually, giving five day's notice, but must upon ten days' notice by the owner make his inspection at the same time as any inspection made for purposes of insurance. He must examine into and report to the governor the cause of boiler explosions. Owners or users must report annually the location of boilers, and also the installation of new boilers, which must be inspected within ten days. Inspection fee is \$3, to be turned over to state treasurer. Boilers on steam vessels, or under United States jurisdiction, or used for house heating with fifteen pounds' pressure or less, are excluded. Failure to notify inspector of new installation, or use of boiler condemned by him, is a misdemeanor, Maximum penalty, \$1,000, or imprisonment for two years, or both. Penalty for failure to report the location of any boiler, \$50. Penalty for failure to have boiler ready for inspection, \$10 and inspector's expenses. Knowing issuance of certificate of safety for an unsafe boiler, or other failure in duty by inspector, is a misdemeanor. Minimum penalty, \$100, or imprisonment two months to one year, or both. (Act 428. In effect, March 28, 1917.)

California.—Elevators in places of employment may not be operated without a permit to be issued by the state industrial accident commission. Operation without a permit is a misdemeanor and a separate offense for each day of such operation. Whenever such elevator is being operated without a permit and is in such condition that its use is dangerous to the life and safety of an employee its use may be prevented by injunction. (C. 74. In effect, June 5, 1917.) Steam boilers except those under federal jurisdiction or certain small boilers cannot be operated without a permit from the industrial accident commission. Permits are given annually and if refused the owner may have a rehearing before the commission and courts as safety orders under compensation may be reviewed. Operating a boiler without a permit is a separate misdemeanor for each day of operation. (C. 202. In effect, July 8, 1917.)

Delaware.—In all establishments in which white lead or other poisonous or injurious substances, fumes, or gases, are present or in which dust or particles of material are created by the machinery or the material in the process of manufacture and in which females are employed, there must be a suitable lunch room provided free from dust or fumes. Exhaust fans must be installed in all such establishments and must be kept running constantly while the fumes or dust are present. In all mercantile, manufacturing or dressmaking establishments, places of amusement, telegraph or telephone offices, hotels, restaurants, or offices in which women are employed there must be not less than 250 cubic feet of air space for each person in each work room and the work room shall be properly heated and ventilated and with the halls and stairways kept clean, sanitary and properly lighted. Sufficient clean water and individual drinking cups or sanitary fountains must be provided for women in such establishments and no employer shall collect money for ice or water furnished. Mercantile or manufacturing or dressmaking establishments, places of amusement, telegraph or telephone offices, restaurants, hotels or offices in which females are employed must provide proper waterclosets and they must be properly lighted, ventilated, screened, and kept clean. At least one seat must be provided for each three females for rest in the room where they work, and in establishments where the labor performed by women makes a change of clothing necessary or customary dressing rooms are required furnished with a locker or separate hook for each

worker. Penalty, \$10-\$50 for a first offense, \$25-\$200 for a second offense. (C. 231. In effect, January 1, 1918.) For administrative provisions see "Administration of Labor Laws," p. 598.

Idaho.—The workmen's compensation act gives the industrial accident board power to prescribe what safety devices or other means of protection are "well adapted to render employees in places of employment safe," also to "fix and order" "reasonable standards for the construction, maintenance and repair of places of employment as shall render them safe," and "to require performance of any act necessary for the protection of the life, health and safety of employees." Violation is a misdemeanor. (C. 81. In effect, May 9, 1917.)

Kansas.—The law relating to the powers of the commissioner of labor is amended by adding to the list of places subject to inspection by him "mercantile establishment, laundry or any other place of business where and when labor is being performed." It is made a misdemeanor with a fine of \$25 to \$100 for each day of violation to remove safety devices from machinery except for the purpose of immediately making repairs thereto. Safety devices so removed shall be promptly replaced before the machine is put into operation. It is also made a misdemeanor with a fine of \$5 to \$25, or imprisonment not over thirty days, or both, for any person to require or permit dangerous machinery to be used or operated or for any employee or other person to operate such machinery without the safety device being in proper place. The commissioner of labor may order the installation of safeguards, *etc.*, which are necessary for the protection not only of employees but of "other persons" and in addition to what is already provided he may order "changes in methods of operation" for the purpose of securing such protection. (C. 228. In effect, March 26, 1917.)

Massachusetts.—The law requiring that in mercantile or manufacturing establishments where employees must make substantially a complete change of clothing separate lockers with lock and key must be provided, is amended to apply also to hotels. (C. 72. In effect, April 13, 1917.)

Michigan.—The use and construction of steam boilers is regulated. A board of boiler rules is created to formulate the rules for the safe and proper use and construction of steam boilers, to be substantially in conformity with the boiler code of the American

Society of Mechanical Engineers. Violation of the rules is a misdemeanor. Maximum penalty, \$100, imprisonment for one year, or both. (No. 174. In effect, August 9, 1917.)

Missouri.—The act provides for the erection, maintenance, and equipment of buildings to protect employees engaged in the construction or repair of passenger or freight cars or car trucks from the weather. Failure is a misdemeanor. Penalty \$100 to \$500 for each day of violation. (P. 323. In effect, January 1, 1918.)

Montana.—Every employer in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or other establishment, shall provide suitable seats for all female employees, and shall permit them to use such seats when not engaged in the active duties of their employment. Violation is a misdemeanor. Penalty, \$50-\$200, or imprisonment from ten to sixty days, or both. (C. 18 and C. 70. In effect, April 1, 1917.) Protection of employees in connection with the construction, operation, use and maintenance of electrical construction appliances and apparatus is provided for in considerable detail, and the state industrial accident board is authorized to prescribe detailed regulations in regard to protective and first aid devices. Certain new constructions now conform to the national electrical code of the United States Bureau of Standards. Violation is a misdemeanor. Penalty, \$100-\$1,000. (C. 171. In effect, May 1, 1917.)

Nevada.—Every employer in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, or other establishment, shall provide suitable seats for all female employees and shall permit them to use such seats when not engaged in the active duties of their employment. Violation is a misdemeanor. Penalty, for a first offense, \$25-\$50; for a second offense, \$100-\$250, or imprisonment for not more than sixty days, or both. (C. 14. In effect, February 14, 1917.)

New Hampshire.—The act provides for the safety and health of employees in factories where ten or more are regularly employed. Where the condition of any place of employment renders it dangerous to safety or health, the employer is required to provide safeguards and safety devices and do other things "reasonably necessary and practicable to lessen the dangers." He must also provide proper and reasonable "toilet facilities" and "reasonably sanitary and hygienic conditions" for his employees. No person is to remove or

interfere with any such device or its use. The commissioner of labor is to make reasonable orders and regulations necessary to give effect to the above requirements with respect to certain safety conditions, sanitation, and hygiene. After inspection of a particular place the commissioner may readjust any order or rule of general application to make it reasonable and adequate with respect to the special conditions of that place. He may require special and extra devices for particular places. Any person affected by an order or regulation may petition the commissioner for review of validity or reasonableness. Decision of the commission is to be final unless appeal is taken to superior court within thirty days. The order of the commissioner is to be *prima facie* valid and reasonable. Proceedings in court are to be as nearly as possible in accordance with equity proceedings. The court may refer the issues in such cases to be heard and reported on. Pending decision in such proceedings the rule is suspended but except as affected by the proceedings every order or regulation of the commissioner is to have the force of law. The act provides that no prosecution shall be commenced against an employer until the commissioner has made an order and the employer has had an opportunity to comply. Failure to comply with an order is punishable by fine. Penalty for violation by employer, \$25-\$200; for interference with safety appliance by any person, \$10-\$100. (C. 183. In effect, June 30, 1917.)

New Jersey.—The construction and use of steam boilers is regulated under a bureau in the labor department. (C. 185. In effect, July 4, 1917.) The sweat shop law is amended. Formerly the law included rooms or apartments in any tenement or dwelling house but now it includes buildings "situated immediately in the rear of any apartment, tenement or dwelling house." The amendment omits the list of articles whose manufacture, *etc.*, was formerly restricted, and makes the law apply to "any articles whatsoever." Instead of a permit for such work a license is now required. The act contains detailed provisions as to the conditions under which a license may be issued and as to the sanitary conditions which must be maintained. If there is evidence of infectious or contagious diseases present in any workshop, the commissioner of labor, factory inspector or local board of health shall issue such orders as the public health requires and shall condemn and destroy the infectious or contagious articles. Employment of unlicensed persons is pro-

hibited. Penalty, \$50 for a first offense, \$100 for each succeeding offense. (C. 176. In effect, July 4, 1917.) As a further amendment to the sweat shop law the commissioner of labor is authorized to require separate working and sleeping rooms where dwellings or apartments are used for manufacturing purposes. He may also require suitable sanitary arrangements. Persons and corporations are required to keep a register of articles given out to be manufactured or finished and such register is subject to inspection by the commissioner. Articles of food, dolls and articles of children's and infants' wearing apparel are not to be manufactured in tenement houses. (C. 229. In effect, July 4, 1917.) It is made unlawful for any owner, agent, superintendent, *etc.*, to cause a steam boiler or steam engine to be operated unless it is in charge of a licensed engineer or fireman. (C. 251. In effect, March 29, 1917.)

New York.—The labor law section dealing with trough closets is changed to permit the industrial commission to make rules respecting the form of closet required. (C. 693. In effect, May 31, 1917.) An exception to the provision requiring counterweights on elevators in factories to be protected by proper enclosures is made where in the judgment of the industrial commission such enclosures are unnecessary. The requirement that elevator cars in such buildings used for carrying passengers or employees shall be lighted at all times is changed to a requirement that such cars shall be lighted during working hours or when in use. (C. 532. In effect, May 17, 1917.) Regulations relating to fire alarm signal systems in factory buildings may also prescribe the character of such signals and the mode and character of installation, including the character of appliances in connection therewith. Power to make such regulations as to the city of New York is transferred to the board of standards and appeals. (C. 634. In effect, May 23, 1917.) The sum of \$1,500 is appropriated for traveling expenses of members of the voluntary committee on the preparation of industrial codes. (C. 181. In effect, April 16, 1917.)

Pennsylvania.—The act providing for proper exits, fire escapes and other fire preventive measures in all factories, stores, and other public buildings, other than in cities of the first and second classes, is amended by making certain changes in the detailed provisions as to means of exit. The most important of these are that the two or more required means of exit shall lead to exterior stair towers

or fire escapes only when it is not possible to provide stairways on the inside (old law did not distinguish between interior and exterior stairways), and that in all such buildings hereafter erected the means of egress shall be within the walls of the building, and at least one shall be an enclosed stair tower of fire resisting construction, or, if accepted by the commissioner, a bridge to another building. Provision is added that prosecutions for violation may be instituted by the commissioner of labor and industry or any inspector at his direction, and shall be in the form of summary criminal proceedings before a magistrate, alderman, or justice of the peace. (No. 357. In effect, July 18, 1917.)

Porto Rico.—For power of the legislature to enact safety and health laws for employees, see "Administration of Labor Laws—United States," p. 605.

Rhode Island.—The factory inspection laws are amended to make requirements for waterclosets and dressing rooms definite, instead of being left to the discretion of inspectors. When twenty-five or less are employed there must be one closet; when more than twenty-five, one closet for each forty or fraction thereof; separate for women in any case. Separate dressing rooms for women must be provided in discretion of inspectors, and seats for women when their duties do not require standing. (C. 1522. In effect, January 1, 1918.)

Tennessee.—Foundries employing over twelve men must provide hot and cold showers and dressing rooms. (C. 50. In effect, May 1, 1917.)

Texas.—The act requiring fire escapes in certain buildings, including factories, is recast and administration entrusted to the state fire marshal instead of to the local authorities. He serves a written notice requiring the construction of fire escapes within ninety days. There must be one escape for each 5,000 square feet of lot area covered by building, and two if the building is six or more stories high. Signs and exit lights are required. Windows and doors must have self-closing, fireproof shutters. The marshal must prepare minimum specifications where not given in the act. Penalty, \$50-\$200 for each day's delay. (C. 140. In effect, June 19, 1917.)

Utah.—The new industrial commission is authorized to fix reasonable standards and make reasonable orders to carry out safety laws and to fix and order such reasonable standards for construction

and maintenance of places of employment as shall make them safe. Safe and safety mean such freedom from danger to life, health, safety or welfare of employees as the nature of the employment permits. (C. 100. In effect, July 1, 1917.)

Washington.—For authority of the industrial welfare commission to establish standard conditions of labor, see "Administration of Labor Laws," p. 604.

Wyoming.—All machinery in use in any mercantile, manufacturing or other establishment where labor is employed shall be equipped with such safeguards as "may be deemed necessary by the commissioner of labor for the proper safeguard of life and limb." All doors leading out of any building in which people are employed must open outward and shall not be fastened so as to prevent free egress during working hours. There shall be proper handrails on all stairways. The act is to be enforced by the commissioner of labor. (C. 113. In effect, February 21, 1917.) Fire escapes are required on public buildings, including factories or workshops three or more stories in height. Such escapes are to be safe and suitable. Factories and buildings in which people are employed at manual or other labor must have "proper and sufficient" means of escape by at least two ways of egress. Doors must not be locked or fastened during work hours. Fire escapes must be unobstructed. Violation of the act is a misdemeanor. Penalty, after October 1, 1917, \$100-\$500, imprisonment from three to six months, or both. Each month or fraction of a month is a separate offense. (C. 18. In effect, February 10, 1917.)

(2) MINES AND TUNNELS

Alaska.—The mine inspection act is amended and reenacted. The most important changes are that the act now applies to all mines instead of to mines employing six persons or more, and that all bosses and foremen must have studied first aid and be competent to dress wounds and dress injured limbs, perform artificial respiration, and properly transport injured persons. The territorial mine inspector is no longer subject to the federal mining inspector, and it is made his duty to examine men in charge of first aid work and to give reasonable instruction therein. It is also made his duty to require that proper first aid measures be adopted in any mine in which he finds them lacking. Reports to the inspector are required

of all accidents both "serious" and "minor," and a second report in case of serious accidents, stating when the injured returned to regular employment. Serious accidents are defined as those which will incapacitate the injured for two weeks or longer or where the hazard has been great though there is no injury. Minor accidents are accidents on account of which the injured is incapacitated from performing regular duties for at least one complete shift. Each operator is required to register with the inspector annually, giving the probable number of men to be employed the coming season. It is forbidden to use internal combustion engines or blacksmith shops underground without the consent of the inspector. Acts of the inspector are subject to review by the governor and through him an appeal may be taken to the United States Bureau of Mines. (C. 51. In effect, May 3, 1917.)

Arkansas.—For appointment of an inspector to enforce the mining laws, see "Administration of Labor Laws," p. 597.

Colorado.—The requirements for "certificates of competency" (issued to mine examiners, foremen, bosses, *etc.*) are made more stringent. (C. 45. In effect, April 4, 1917.)

Illinois.—The state mine inspector, if in his judgment expressed in writing it is equally safe and more advantageous, may grant authority to leave a blind pillar between not less than every three rooms, subject to review by the department of mines and minerals. (P. 602. In effect, July 1, 1917.) The department of mines and minerals may authorize an equivalent to the chemical extinguishers required by the former law for extinguishing fires in coal mines. (P. 596. In effect, July 1, 1917.)

Kansas.—A commission to be appointed by the governor is created to revise the code of coal mining laws. The members are to be two coal miners, two operators, and two men not interested in coal mining, one of whom is to be a mining engineer. (C. 238. In effect, April 5, 1917.) The law relating to protection of life and property in and about coal mines is changed by making it unlawful to fire shots until all persons are out of the mine or to permit any shot to be fired while any person is near enough to be injured from such shot. (C. 240. In effect, April 5, 1917.) Provision is made for establishing mine rescue stations and substations. The sum of \$17,500 is appropriated. (C. 239. In effect, April 5, 1917.) The law relating to bath houses at coal mines is amended. All such

houses at underground mines sunk after the passage of the amending act must be constructed of noncombustible material, and all lockers must be of steel. (C. 241. In effect, May 26, 1917.)

Ohio.—The regulations governing lowering and hoisting employees in mines are applied to mines with shafts fifty instead of 100 feet deep. (P. 150. In effect, June 27, 1917.) The regulations dealing with the drilling and abandonment of oil or gas wells are amended, and a person, firm or corporation improperly plugging a well on its abandonment may, in addition to the previous penalties, be made to clean out and properly plug the well or to pay the cost of such work done under orders of the industrial commission, within thirty days. (P. 630. In effect, July 1, 1917.)

Pennsylvania.—The employment of persons in compressed air is regulated. The act provides that every tunnel, caisson, compartment or other place where such work is carried on shall be so equipped, arranged, operated and conducted as to provide such protection to the life, health, and safety of the employees as the nature of the employment will reasonably permit. It provides in detail for the equipment of such places with gages, air pipes, electric lights, dressing rooms, shower baths and, if the maximum pressure exceeds seventeen pounds, a hospital lock. It regulates the suspension of caissons, requires daily inspection of everything connected with the work, requires the employment and constant presence of at least one licensed physician as a medical officer, and if the maximum pressure exceeds seventeen pounds of one or more registered or competent nurses; prohibits the employment of persons known to be addicted to the excessive use of intoxicants; and requires periodical physical examinations. It prescribes the maximum hours of labor, and requires them to be divided into two working periods of equal length, ranging from eight hours in twenty-four with a thirty-minute interval when the pressure does not exceed twenty-one pounds, to one and one-half hours in twenty-four with an interval of five hours when the pressure exceeds forty-five but does not exceed fifty pounds; and prohibits work except in cases of emergency where the pressure exceeds fifty pounds. It prescribes the rate and time of decompression, in the case of a tunnel at the rate of three pounds every two minutes if the pressure does not exceed thirty-six pounds, in which case the rate shall be one pound every minute; and in the case of a caisson, compartment or other place,

it fixes the time of decompression ranging from one minute when the pressure does not exceed ten pounds to twenty-five minutes when it is between forty and fifty pounds. Enforcement of the act is committed to the department of labor and industry. (No. 364. In effect, July 1, 1917.) The law requiring every mine or colliery to provide an ambulance is amended by providing that such ambulance shall be a properly heated motor ambulance. One ambulance may now serve two or more mines or collieries within four miles of one another instead of within one mile of one another, and the state highway department shall furnish free of charge a registration certificate and two number tags for each such motor ambulance. (No. 383. In effect, October 17, 1917.)

Tennessee.—Measurement of ventilating currents in mines, and immediate notice to chief mine inspector in case of accident are provided for. (C. 111. In effect, May 10, 1917.)

Washington.—A comprehensive coal mining code repealing all previous acts is passed. It creates a state mine inspection department to consist of a mine inspector and deputy mine inspector. It provides in detail how their examinations shall be conducted and what their qualifications shall be and imposes certain qualifications for officials and employees in coal mines. It contains exhaustive provisions of ventilation, maps and plans, hoists and hoisting, duties of operators, duties of officials, mine rescue equipment, powder and explosives, safety lamps, shaft signals, installation of electricity, and general rules. An eight-hour day exclusive of one half hour for lunch is provided, with a fine of \$100 for each offense by the employer against the eight-hour provision. It is also provided that any person who wilfully remains at his working place in the mines in excess of the hours prescribed shall be guilty of a misdemeanor and fined \$5-\$20. Exceptions as to the hours of labor are provided for engineers, motormen, and certain other employees, but a ten-hour limitation is imposed on them. A further exception is made for work in emergencies. (C. 36. In effect, June 7, 1917.)

West Virginia.—All provisions of the mining laws intended to safeguard life and property are extended to sand mines, sand pits, clay mines, clay pits, quarries, and cement works in so far as applicable, and the chief of the department of mines is authorized to make such rules and regulations as may be necessary to secure safe and sanitary working conditions therein. (C. 20. In effect,

May 22, 1917.) The chief of the department of mines is authorized, with the approval of the state board of control, to purchase, equip and operate a mine rescue car. The sum of \$30,000 appropriated for the first year, and \$5,000 annually thereafter. (C. 47. In effect, May 24, 1917.)

(3) TRANSPORTATION

Arkansas.—Electric cars, except trailers, must be provided from November to March inclusive with screens of glass or other material to protect motormen. Violation is a misdemeanor. Penalty, \$25-\$100 for each day for each car. (Act 174. In effect, March 6, 1917.)

Connecticut.—The law relating to seats for the use of motormen is amended by striking out the provision that such seat is not to be used while the car is being operated within the radius of one mile from the center of any city. (C. 106. In effect, July 1, 1917.)

Kansas.—The law relating to the protection of motormen is amended by providing that the vestibule shall be heated not only "in the same manner" (existing law) but "to the same degree of heat which shall not be less than is healthful and comfortable" as the interior of the car. (C. 255. In effect, April 5, 1917.)

Ohio.—Seats for motormen and conductors are required on all street and interurban railway lines. Violation of the law is considered a violation by the president, general manager, general superintendent or officer in charge of the operation of cars. Violation for each calendar day and for each car is a separate offense. (P. 590. In effect, November 1, 1917.) Steam railroad companies must provide locomotives with automatic or foot power doors to the fire boxes. (P. 560. In effect, July 1, 1917.)

(4) MISCELLANEOUS INDUSTRIES

Delaware.—Protective measures must be taken for the safety of employees performing labor in the erection, repair, alteration or painting of buildings. Proper scaffolding, hoists, stays, *etc.*, must be provided and safety rails attached where necessary; floors below the construction work must be covered over and shafts must be enclosed. (C. 234. In effect, April 25, 1917.)

New Jersey.—A law is passed regulating the construction, use and inspection of scaffolding and appliances used in constructing, repairing, painting and cleaning buildings. The commissioner of

labor or a police officer may cause an inspection on complaint that the scaffolding or appliances are unsafe, the inspection to be made by the labor inspector or by the building department. Further use of scaffolding and appliances may be prohibited until they are made safe. (C. 168. In effect, July 4, 1917.)

SOCIAL INSURANCE

Workmen's compensation laws were enacted in 1917 in the five states of Delaware, Idaho, New Mexico, South Dakota, and Utah, while twenty-six states adopted amendments. The year is marked by a tendency to extend scope, to shorten waiting period, and to increase provision for medical care. There are now thirty-seven states in addition to Alaska, Hawaii, and Porto Rico, which have compensation acts, besides the federal government's law for its own half-million civilian employees. Twelve of the laws are compulsory. Three base compensation on 55 per cent of wages, four on 60 per cent, three on 65 per cent, and six on 66-2/3 per cent or more. Compensation to seamen, and to soldiers and sailors for injury or disease, is established this year by the United States. In passing it may be noted that a number of states and cities, including Connecticut, Maine, Massachusetts, Michigan, New Hampshire, Vermont, Wisconsin, and Philadelphia, have enacted provisions for separation allowances to soldiers' dependents, some of which are subject to revision in view of the federal act. Congress also amended the judicial code so as to make longshoremen eligible to benefits under state compensation acts. The awakening interest in other forms of social insurance is evidenced by the number of states which have investigations under way. In California the legislature, after two years' investigation by a special commission, has submitted a constitutional amendment to the people to authorize a system of health insurance. The same state continues its investigating commission, as does Massachusetts. Pennsylvania and Illinois create commissions to study health insurance, and Pennsylvania creates also a separate commission to study old age pensions. New Hampshire creates a house committee to study workmen's compensation and health insurance. Ohio includes health insurance and old age insurance together, while Wisconsin covers social insurance generally. Connecticut includes health and old age insurance in a long list of subjects affecting labor and agriculture. Oregon and Idaho regulate hospital funds.

I. INDUSTRIAL ACCIDENT INSURANCE

(1) EMPLOYERS' LIABILITY

Massachusetts.—For regulation of reserves of liability insurance companies, see "Workmen's Compensation," p. 585.

Minnesota.—For amendment of law regulating employers' mutual liability association reserves, see "Workmen's Compensation," p. 585.

(2) WORKMEN'S COMPENSATION

a. New Acts

Delaware.—An elective compensation law is provided for all employers of five or more employees. Exception is made for domestic servants, farm laborers, casual laborers, out workers, contractors and sub-contractors, officers and servants of the state or its agencies, and employees in interstate or foreign commerce. The act is to be administered by an industrial accident board of three members appointed by the governor at \$2,500 and expenses, whose award is final unless an appeal is taken to the supreme court of the county within ten days. Insurance in a stock or mutual company is required unless the employer can furnish satisfactory proof of financial ability to pay compensation direct, in which case the board may require the deposit of an acceptable security, indemnity, or bond. The act gives compensation for "personal injury by accident arising out of and in the course of" employment within the state, and diseases resulting therefrom; but excludes injuries resulting from intoxication, deliberate and reckless indifference to danger, wilful intention to bring about the injury or death of oneself or another, wilful failure or refusal to use a reasonable safety appliance provided or to perform a duty required by statute, or from the wilful act of another having no relation to the employment. There is a waiting period of fourteen days during which medical care up to \$25 is provided. For total disability compensation for 270 weeks is 50 per cent of wages and thereafter 20 per cent. In death cases \$100 is allowed for burial and 25 per cent of wages for a dependent widow or widower with additional percentages up to 60 per cent in proportion to the number of dependents and children under sixteen. (C. 233. In effect, January 1, 1918.)

Idaho.—A compulsory law is provided for all public employments, and for private employments carried on for pecuniary gain.

Employees injured outside the state are covered as well as those hired outside the state if they would be entitled to compensation under the law of the state where hired. Exception is made in case of employees whose remuneration is more than \$2,400 a year, employees in interstate commerce, and public officials elected by popular vote or receiving more than \$2,400 a year. Agricultural, domestic, and casual employees, outworkers, employees of charitable organizations, and members of the employer's family dwelling in his house, although excluded may be included by agreement. The act is to be administered by an industrial accident board of three members appointed by the governor with the consent of the senate, at \$3,000 and expenses. An award of the board is final unless an appeal is taken to the district court within thirty days. Public corporations must insure in the state insurance fund which is to be administered by a state insurance manager appointed by the governor with the approval of the senate, at \$4,000. Private employers must either insure in the state insurance fund or deposit with the state insurance manager satisfactory security in the form of a surety bond or guaranty contract. The act gives compensation for "personal injury by accident arising out of and in the course of employment," and diseases resulting therefrom, but not including injuries resulting from the employee's wilful intention to injure himself or another or from intoxication. Medical care must be furnished for a reasonable time, charges being limited to those which "prevail in the same community for similar treatment of injured persons of a like standard of living." Hospital agreements may be entered into by employers and workmen, in which case the employer must not profit by the arrangement or levy an assessment of more than \$1 a month, except with the approval of the board. Such agreements must provide for sickness "contracted during the employment—(except venereal diseases and sickness as a result of intoxication)" as well as for injuries, and the care given shall be under supervision of the board. The waiting period is seven days. For total disability compensation is 55 per cent of average weekly wages for 400 weeks, and \$6 a week thereafter. In death cases \$100 is allowed for burial and if there are no dependents the employer must pay to the industrial administration fund \$1,000. A dependent widow or widower is allowed 45 per cent of average weekly wages with additional percentages up to 55 per cent in proportion to the number of dependents and children under eighteen.

(C. 81. Part IX, creating state insurance fund, in effect July 1, 1917. Remainder in effect, January 1, 1918.)

New Mexico.—An elective law is provided for all employers in certain enumerated extra-hazardous employments where four or more are employed or where work is carried on upon a derrick, scaffolding, pole or other structure ten or more feet above the surface of the ground. Other employers and workmen may become subject to the act by written agreement. Casual laborers and employees in interstate commerce are not covered. No provision is made for administration except through district courts. An employer electing the act must file with the clerk of the district court satisfactory bond or certificate of guarantee, mutual, or other insurance unless he can satisfy the judge that he is solvent. The act gives compensation to those "injured by accident arising out of and in the course of" employment. Compensation is increased 50 per cent if caused by employer's failure to provide safety devices required by law and decreased 50 per cent if caused by the employee's failure to observe a statutory regulation concerning safety, or to use a safety device provided. No compensation is payable to an employee for injuries caused by intoxication, or wilfully suffered by him, or intentionally inflicted by himself or another, or for injuries received while going to and from work unless caused by the employer's negligence. There is a waiting period of twenty-one days during which medical care up to \$50 is provided. Compensation for total disability is 50 per cent of earnings for 520 weeks. In case of death \$50 is allowed for funeral expenses and to a dependent widow or widower 40 per cent of earnings. Five per cent additional is allowed for each child up to 60 per cent and proportionate amounts for other dependents. (C. 83. In effect, March 13, 1917.)

South Dakota.—An elective compensation law is provided for all public and private employments. Domestic, farm, and casual laborers, or those not in the usual course of the employer's business are excepted, as well as employees in interstate and foreign commerce if provided for under the laws of the United States.¹ The

¹The New York case of *Southern Pacific Co. v. Jensen*, 244 U. S. 205 (1917), in which the United States Supreme Court on May 21, 1917, decided that state workmen's compensation acts do not apply to employees in longshore work or in interstate or foreign commerce, was pending when this law was enacted.

act is administered by the South Dakota industrial commissioner, which office shall for the present be filled by the commissioner of immigration. The industrial commissioner is also instructed to maintain a free employment exchange. Disputes are to be settled by an arbitration committee composed of the industrial commissioner and one representative of each side. From its decision there is no appeal on questions of fact. Insurance in a mutual, stock, or reciprocal company is required, unless an employer can satisfy the insurance department of his financial ability to pay compensation, in which case security may be required. The act gives compensation for "personal injury or death by accident arising out of and in the course of employment," but not for diseases not resulting from the injury or for injuries due to wilful misconduct, including intentionally self-inflicted injuries, intoxication, and wilful failure to use a safety appliance or perform a duty required by statute. There is a waiting period of fourteen days unless the disability extends beyond eight weeks in which case compensation is paid from the date of injury. Medical care must be provided up to \$100 for four weeks. Total disability compensation is 50 per cent of earnings up to a maximum of \$3,000 or four times average annual earnings. In death cases compensation is practically the same, but if there are no dependents it is limited to \$150 for burial expenses. (C. 376. In effect, July 1, 1917.) Formation of mutual workmen's compensation insurance companies is provided for. (C. 277. In effect, July 1, 1917.) The reserves to be maintained by companies writing workmen's compensation insurance are prescribed. (C. 276. In effect, July 1, 1917.) The provisions to be contained in workmen's compensation insurance policies, such as that policies shall cover the employer's entire liability and that the insurance company shall be directly liable to the injured party, are stipulated. (C. 278. In effect, July 1, 1917.)

Utah.—The act applies to public employers and private employers of four or more, others being permitted to come under the act by agreement. Employees hired outside the state are entitled to compensation if entitled to compensation in the state where hired. Aliens are included; but agricultural, domestic and casual laborers, officials who are elected or whose salary exceeds \$2,400, and employees in interstate and foreign commerce are excluded. An industrial commission of three members, appointed by the governor at \$4,000 and expenses, is created. The commission is not only

to administer the compensation act and state insurance fund but to administer factory and mine legislation, promote arbitration and conciliation, establish free and supervise private employment agencies, publish statistical reports, and provide for the welfare and safety of employees. With the exception of municipal bodies employers must insure or be liable to respond in damages for injuries resulting in incapacity. For injuries resulting in death the dependents may elect to sue, in which case they must prove negligence on the employer's part or accept compensation. The state must insure in the state fund, other public bodies may choose between state and self-insurance. In the latter case acceptable security, indemnity, or bond may be required. Private employers may insure in either of the former ways or with a stock or mutual insurance company. Compensation is given for personal injuries by accident arising out of and in the course of employment, including injuries occurring outside the state and injuries caused by the wilful act of a third person directed against an employee because of his employment. Diseases not resulting from the injury, and injuries purposely self-inflicted, are excluded. Waiting period is ten days. Medical care up to \$200 must be provided; but employers and workmen may enter into contracts to provide medical services provided no profit shall be made from assessments collected from employees. For total disability compensation for five years is 55 per cent of average weekly wages, and 40 per cent thereafter. In fatal cases \$150 is provided for burial and, if there are no dependents, employers not insured in the state fund must pay \$750 into the fund. Dependents are paid 55 per cent of wages for a maximum period of six years from date of injury. (C. 100. Sections I to 11, creating an industrial commission, in effect March 15, 1917. Sections 12 to 104 in effect July 1, 1917.)

United States.—The act establishing a Bureau of War Risk insurance is amended to create a Division of Military and Naval Insurance. Compensation in flat rate monthly payments is provided for death or disability resulting from injury suffered or disease contracted in the line of duty by an officer, enlisted man, or nurse in the active service. For death, compensation runs from \$25 a month for a widow alone to \$75 according to the number of dependents. Compensation is paid to a widow until death or remarriage and to children until eighteen years old or until marriage, unless a child is in-

capable, in which case compensation is paid during incapacity. If death occurs in service \$100 is provided for funeral expenses. For those disabled, reasonable medical care and supplies are provided. For total disability compensation varies from \$30 a month for a single man up to \$75 according to the number of dependents, except that for certain kinds of extreme disability compensation shall be \$100 a month. Partial disability is compensated by that per cent of compensation for total disability which represents the average loss in earning capacity for similar injuries in civil life. All payments are determined according to family conditions as they may be from month to month. Provisions are made for rehabilitation, reeducation, and vocational training of those permanently disabled. The government is authorized to offer additional voluntary term insurance in multiples of \$500, but not less than \$1,000 or more than \$10,000, at rates based on the American Experience Table of Mortality and interest at $3\frac{1}{2}$ per cent without charge for the expenses of administration and without adding the excess mortality and disability cost resulting from hazards of war. This insurance is payable only to a spouse, child, grandchild, parent, brother or sister, or to the insured during total and permanent disability. It is payable in 240 monthly installments totaling the amount insured with interest at $3\frac{1}{2}$ per cent, but shall within five years after the war be converted, without medical examination, to any of the usual forms of life insurance, to be conducted by the government. Insurance must be applied for within 120 days after enlistment, or, in the case of those in the service on October 15, 1917, on or before February 12, 1918. Any person in the active service who is totally and permanently disabled or dies before February 12, 1918, and since the war began on April 6, 1917, is deemed entitled to 240 monthly installments of \$25 for total and permanent disability, and in case of death all unpaid installments will be granted his wife, child, or widowed mother. Monthly separation allowances ranging from \$5 to \$50 are also provided for the wives and children of enlisted men. Enlisted men are required to allot from their salaries amounts equal to the government allowance, but not more than half pay or less than \$15. Similar allowances are provided for parents, grandchildren, brothers and sisters on condition the enlisted man voluntarily makes equivalent allotments. If not allotted, one-half pay may be withheld and paid with interest at 4 per cent after retirement from service if the secretary of war or the secretary of the navy

should so provide by regulation. (Public 90, 65th Congress, 1st session. In effect, October 6, 1917.) The act creating a Bureau of War Risk Insurance for the insurance of cargoes and hulls of American ships is amended by providing also for the insurance of personal effects of the masters, officers, and crews thereof, and for the insurance of such masters, officers, and crews against loss of life or personal injury and for compensation during detention following capture by an enemy. The secretary of the treasury is authorized, whenever he finds that such insurance is desirable in the national interest, to require the owner of a vessel to insure for a principal sum ranging from \$1,500 to \$5,000, specified percentages of which are to be paid for various losses. (Public 20, 65th Congress, 1st session. In effect, June 12, 1917.)

b. Acts Supplementary to Existing Laws

California.—With the exception of sections on the organization of the industrial accident commission and of the state compensation insurance fund the entire California workmen's compensation law is reenacted. There are numerous minor changes in wording to obviate difficulties experienced under the act. To remove doubt as to constitutionality the act is brought within sections of the constitution permitting the legislature to confer full power upon any commission to "provide for the comfort, health, safety and general welfare of any and all employees." The waiting period is reduced from fourteen to ten days. The ninety-day limitation is removed from medical care, a limited choice of physicians permitted to the employee, and the commission is given authority to supervise the hospital facilities provided. Burial expenses are made payable where there are partial dependents as well as where there are no dependents. The provisions for computing average earnings are amplified. Minors, even if unlawfully employed, officers of public and quasi-public corporations, and working members of partnerships are included. The state is presumed to elect the act as to all its employees in occupations otherwise excluded. Dependent husbands are no longer conclusively presumed to be dependent. "Casual" is defined to refer to work completed in not more than ten days and costing less than \$100. Voluntary election is presumed to include casual employees unless expressly excluded, the reverse of formerly. Injury is defined to include disease arising out of employment, but if incapacity be due to aggravation of a prior disease

compensation is to be allowed for only that proportion of the disability due to injury. Injuries intentionally self-inflicted are excluded. Wilful misconduct, which must now be "serious," no longer bars compensation but reduces it one-half and may not be a defense at all if the injury results in death or permanent disability or if the employer himself failed to comply with any safety law or order. If the employer or his agent is guilty of serious and wilful misconduct, the employee instead of being permitted to sue for damages receives compensation increased one-half up to \$2,500. The burden of proving an employee's intoxication, wilful misconduct, *etc.*, is placed on the employer. Living expenses may be awarded to the wife and minor children of an injured employee who deserts or neglects his family. The provisions concerning rights against third parties are amplified, with inducement for employers and workmen to prosecute such claims jointly. All private employers are required to insure unless they secure permission to self-insure in which case they may be required to deposit bond or security. If an employer fails to comply his employees may either seek compensation or damages in which case the employer is presumed to be negligent and his defenses are removed. Becoming insured in itself acts as an election of the law. Insurance companies may not insure employers for the additional compensation recoverable as a penalty for misconduct. The commission may require an uninsured employer to deposit the present value of awards made against him in the state fund. The state fund is required to pay 2 per cent of its gross premiums annually toward the accident prevention fund. The commission is given jurisdiction over insurance policies issued to self-employing persons and conferring similar benefits. (C. 586. In effect, January 1, 1918.) Every insurance carrier, except the state fund, writing compensation insurance in the state, must file annually in the office of the insurance commissioner a bond in favor of the insurance commissioner as trustee for the beneficiary to secure the payment of awards. (C. 200. In effect, July 31, 1917.) A resolution for submission to the voters of California proposes to amend the constitution so as to give the legislature power to enact a compulsory system of workmen's compensation, including "adequate provisions for the comfort, health and safety and general welfare" of injured workmen, and including provisions for the settlement of disputes under the act by an industrial accident commission or by the courts,

either separately or in combination. (Senate Constitutional Amendment No. 30. C. 60.)

Colorado.—The waiting period is reduced from twenty-one to fourteen days. Public employers are included even when employing less than four, while members of the national guard are excluded. A lump sum is provided for widows on remarriage. Public employers are required to insure in the state fund and the state fund is permitted to reinsure. Investigation by the industrial commission of all medical aid agreements between employers and workmen is provided for. (C. 155. In effect, April 23, 1917.)

Connecticut.—Waiting period is reduced from ten to seven days, the injured employee is to be given full wages for the entire day of the injury, and the maximum weekly compensation is increased from \$10 to \$14. The commissioner is authorized to add 50 per cent to the average weekly wage of a minor under eighteen for the purpose of computing compensation. When half compensation is paid to non-resident alien dependents, the other half is payable to any resident dependents. With the commissioner's approval a physically defective employee may waive any rights to compensation for injuries due to his defect. The allowance for expenses of each commissioner is increased from \$3,000 to \$5,000. Employers are required to notify the commissioner before discontinuing payments and unless they comply with the insurance provisions their property may be attached to secure the payment of any claim which may arise. The insurance commissioner is empowered to revoke the license of any insurance company found dilatory or failing to observe the provisions of the act. (C. 368. In effect, July 1, 1917.) Insurance companies shall report all workmen's compensation policies written to the compensation commissioner of the district in which the employer insured employs labor. (C. 126. In effect, July 1, 1917.)

Hawaii.—The act is liberalized by including diseases proximately caused by the employment or resulting from the nature of the employment. The fourteen-day limitation upon medical care is removed and the amount raised from \$50 to \$150. The waiting period in case of total disability is reduced from fourteen to seven days and in case of partial disability is entirely abolished. In the latter case, however, no adjudication of disability is to be made until two weeks after the injury. The specific injury schedule is

amplified and the limitation placed upon time within which a death must occur is extended from six months to two years. (Act 227. In effect, May 2, 1917.) The limitation placed upon the size of the "territorial insurance fund" is raised from \$250,000 to \$300,000 and the fund is made available for the payment of compensation claims against the territory. (Act 139. In effect, April 26, 1917.) Members of the police force, fire departments and their dependents may claim either workmen's compensation, or benefits under the policemen's and firemen's pension funds, but not both. (Act 220. In effect, May 2, 1917.)

Illinois.—The act is made compulsory for all employers in hazardous employments, and elective for others. Employers failing to insure are made liable at common law. The membership of the industrial board is increased from three to five, and the salaries of arbitrators increased from \$1,800 to \$2,400. (P. 505. In effect, July 1, 1917.) Disability compensation is increased 5 per cent for each child under sixteen up to 65 per cent, while the minimum of \$6 a week is increased by 50 cents a child up to \$7.50, and the maximum of \$12 a week is increased by \$1 for each child up to \$15. Death benefits are proportioned to the number of dependents and extent of their dependency. Compensation is provided for loss of use of an eye and for partial loss of use of any member listed in the specific injury schedule. The exclusion of "casual" employees is omitted, but the exclusion of employees "not engaged in the usual course of" the employer's business is retained. Public employees entitled to pensions are no longer excluded, but may receive only that portion of the pension in excess of compensation. (P. 490. In effect, May 31, 1917.)

Indiana.—The language is clarified and appeals from awards made by the full board limited. Such an award when affirmed on appeal is increased 5 per cent. (C. 63. In effect, March 5, 1917.) The waiting period is reduced from fourteen to seven days. (C. 81. In effect, May 31, 1917.) The reserves which workmen's compensation insurance companies will be required to maintain are specified. (C. 99. In effect, May 31, 1917.) Railroad employees engaged in train service are excluded. (C. 165. In effect, May 31, 1917.)

Iowa.—Medical care is extended from two to four weeks. The waiting period is removed in case of permanent partial injuries compensated according to the specific injury schedule. For all

other injuries, although the waiting period is retained, compensation during the fifth, sixth and seventh weeks is increased by two-thirds. Minimum weekly payment is increased from \$5 to \$6, and the maximum from \$10 to \$12. Compensation is provided for loss of hearing. The pecuniary gain clause is repealed. The office of deputy industrial commissioner is created and the rules concerning procedure amplified. Failure to insure is penalized by making an uninsured employer liable to respond at common law with his defenses removed. (C. 270. Section 14, creating office of deputy commissioner, in effect April 30, 1917. Remainder in effect July 1, 1917.) Payment of compensation due state employees is authorized from the state treasury. (C. 67. In effect, March 28, 1917.) Firemen and policemen entitled to benefits from a pension fund are excluded. (C. 418. In effect, July 4, 1917.) The employer is required to furnish a statement of the employees' earnings on request. (C. 188. In effect, July 4, 1917.) The consular agent of the nation of which alien non-resident dependents are citizens is made the exclusive representative of such dependents. (C. 336. In effect, July 4, 1917.) Provision is made for making depositions of witnesses as for the district court. (C. 409. In effect, July 4, 1917.)

Kansas.—The law is generally liberalized. The defense of contributory negligence which was formerly to be "considered by the jury in assessing the amount of recovery" is now entirely abrogated. The list of hazardous employments is extended and provision inserted that employers not listed may elect the act. In the old law the only provision for medical care was in death cases where no dependents survived, when \$100 was payable for medical attendance and burial. As amended, \$150 is provided for burial, and in all cases the employer is required to furnish medical care and supplies and nursing not to exceed \$150 for fifty days. Waiting period is reduced from fourteen to seven days. For total disability the scale of compensation is increased from 50 per cent to 60 per cent while for partial disabilities a specific injury schedule is introduced under which certain injuries are compensated by a lump sum equivalent to 50 per cent of weekly earnings, but not more than \$12 nor less than \$6, for specified periods. The minimum and maximum amounts payable in death cases are raised from \$1,200 and \$3,600 to \$1,400 and \$3,800 respectively. (C. 226. In effect, May 26, 1917.)

Maine.—It is provided that any town or city may continue firemen on the payroll at full pay in lieu of compensation. (C. 241. In effect, July 6, 1917.) The insurance commissioner may require insurance companies to file information necessary to satisfy him that workmen's compensation rates are "correct and proper" before giving his approval. (C. 224. In effect, July 6, 1917.) All persons under the control of any department of the state are made eligible for compensation, and payment is authorized from the state contingent fund. (C. 230. In effect, July 6, 1917.)

Maryland.—Federal farm loan bonds are made a lawful investment for the workmen's compensation fund. (C. 6. In effect, June 27, 1917.)

Massachusetts.—Employees are authorized to select their own physicians. (C. 198. In effect, May 22, 1917.) Maximum weekly compensation for total incapacity is increased from \$10 to \$14. (C. 249. In effect, May 14, 1917.) Instead of limiting burial benefits to cases without dependents, burial benefit is made payable in all fatal cases, but diminishes the period of compensation due. (C. 269. In effect, June 20, 1917.) The industrial accident board is increased from five to seven members. Committees of arbitration are abolished and disputes are hereafter to be heard by a single member of the board. (C. 297. In effect, June 23, 1917.) The reserves that liability insurance companies must maintain for outstanding losses are designated. (C. 10. In effect, March 22, 1917.) Domestic mutual liability insurance companies are authorized to carry workmen's compensation insurance. (C. 191. In effect, April 18, 1917.)

Michigan.—Employers contributing to the accident fund are authorized to nominate at an annual meeting an advisory board of five members to advise with the commissioner of insurance concerning administration of the accident fund. (C. 206. In effect, August 10, 1917.) The definition of "average earnings" is amplified. (C. 41. In effect, August 10, 1917.) The insurance law, including the regulations concerning workmen's compensation insurance, is rewritten. (C. 256. In effect, August 10, 1917.) The annual appropriation for the industrial accident board is increased from \$45,000 to \$70,000. (C. 235. In effect, August 10, 1917.)

Minnesota.—For non-fatal cases the scale of compensation is raised from 50 per cent to 60 per cent and the maximum weekly

compensation from \$11 to \$12. (C. 351. In effect, April 17, 1917.) In case of temporary disability the waiting period is reduced from fourteen to seven days. In other cases there was no waiting period. (C. 302. In effect, April 17, 1917.) The law concerning regulation of employers' mutual liability insurance associations is amended. (C. 201. In effect, April 12, 1917.)

Nebraska.—Employers of less than five are no longer exempted. Intoxication is defined to constitute "wilful negligence" only when without the consent, knowledge, or acquiescence of the employer or his agent. Waiting period is reduced from fourteen to seven days and, if disability continues for six (instead of eight) weeks, compensation is made payable from the date of injury. In cases of dismemberment or injuries involving major surgical operations the period of medical care may be extended. Scale of compensation is increased from 50 per cent to 66 $\frac{2}{3}$ per cent for both death and disability. Minimum weekly payment is increased from \$5 to \$6, and the maximum from \$10 to \$12. The compensation which is payable in total disability cases after the first 300 weeks is increased from 40 per cent to 45 per cent, the minimum for such payments being increased from \$4 to \$4.50, and the maximum from \$8 to \$9. Compensation for the loss of fingers, ears, toes, and nose, is added to the specific injury schedule. A compensation division is created in the bureau of labor. The commissioner of labor, who in Nebraska is the governor, is made compensation commissioner and is authorized to appoint a chief deputy compensation commissioner. The compensation commissioner is authorized to perform duties in connection with the act formerly performed by the insurance commissioner. Necessary power for enforcing the act is conferred on the compensation commissioner and it is provided that all claims must be submitted to the compensation commissioner for his approval before they may become binding or before being appealed to the district court. Insurance is required unless an employer satisfies the compensation commissioner of his financial ability to pay direct, in which case acceptable security indemnity or bond may be required. (C. 85. In effect, July 24, 1917.)

Nevada.—The act is changed throughout so that the employer is no longer presumed to elect, but is presumed to reject unless written notice of election is given. Employers rejecting the act may not deduct any portion of wages to meet the cost of common law liabil-

ity incurred. Public employers are required to contribute to the state fund. Medical care is extended to ninety days and to include nursing, medicines, and supplies; the time may be further extended by the commission to one year. The commission is authorized to establish a separate fund and to collect premiums covering the cost of medical care. Employers are authorized to collect one-half of such premiums, not exceeding \$1 a month, from employees. Employers may arrange to provide medical care directly, but if it be found that the care provided endangers the health of an employee the commission may order a change of physician. In death cases the rate of compensation for a dependent widow or widower is reduced from 40 per cent to 30 per cent but by adding 10 per cent a child the total may go as high as $66 \frac{2}{3}$ per cent instead of 60 per cent as formerly. Compensation for dependent children, when there is no dependent widow or widower, is 15 per cent a child up to $62 \frac{2}{3}$ per cent. The period of payment is increased in case of dependent adults from 100 months to life and in case of children from until sixteen years old to until eighteen years old. Payments to non-resident alien dependents are to be 60 per cent of the amounts specified. The schedule of disability payments is rewritten. Compensation is based on 50 per cent of wages as formerly. However, for temporary total disability the maximum is \$70 a month for twelve months and \$60 thereafter. For permanent total disability the maximum is \$50 but it is payable until death. For partial disability no excess over \$140 a month is to be considered in computing compensation. Limits of \$60 and \$50 a month are inserted in the specific injury schedule and compensation is provided for injuries to the teeth. Physicians as well as employers are required to file reports of injuries with the commission. Employees are required to report injuries to their employers and the time for filing a claim is limited. (C. 233. In effect, July 1, 1917.)

New Jersey.—Every private employer, except an employer of farm labor or domestic service, is required to insure in a stock or mutual company or satisfy the commissioner of banking and insurance as to the permanence and financial standing of his business. The Compensation Rating and Inspection Bureau of New Jersey is created which all insurance companies must join before writing workmen's compensation insurance in the state. The commissioner of banking and insurance must approve as reasonable

and adequate the classification of risks, rules, basis rates, and system of merit or schedule rating adopted. (C. 178. In effect, July 4, 1917.) The provisions of the foregoing act are extended to apply to all contracts of employment under the employers' liability section of the workmen's compensation law. (C. 262. In effect, July 4, 1917.)

New York.—The list of hazardous employments to which the act applies is extended. If disability extends beyond forty-nine days compensation is made payable from the date of disability. The commission is no longer required to file conclusions of fact and rulings of law along with the award. If an award be affirmed on appeal, interest is made payable thereon from the date when the award was made by the commission. The industrial commission is empowered to require self-insurers to agree to pay to the state fund the present value of awards made by the commission. State fund premiums are hereafter to be adjusted annually instead of semi-annually. (C. 705. In effect, July 1, 1917.) Workmen's compensation mutual insurance companies are permitted to merge under certain conditions. (C. 299. In effect, May 1, 1917.)

Ohio.—Contracts to indemnify employers either for workmen's compensation, or for damages when the liability arises from failure to comply with any lawful requirement for the protection of the lives, health, and safety of employees or when the liability is occasioned by the wilful act of an employer or his agent, shall be void. No license to write such insurance shall be issued. (P. 6. In effect, May 21, 1917.) In death cases the period of payment is increased from six to eight years and the minimum and maximum amounts increased from \$1,500 and \$3,750 to \$2,000 and \$5,000 respectively. (P. 450. In effect, January 1, 1918.) By unanimous consent of the industrial commission the allowance for medical care may be increased beyond \$200. (P. 528. In effect, June 29, 1917.) The whole act is revised in details. The wording "state liability board of awards" is changed throughout to "Industrial Commission of Ohio." Orders made by any member of the commission are to be deemed orders of the commission. The commission must keep a record of awards and its reasons therefor. It is also required to keep account of "losses" in place of "disbursements" and to maintain reserves sufficient to guarantee a "solvent" state fund rather than to guarantee the fund "from year to year." To be ex-

cluded an employee must be both casual "and" (instead of "or") not in the usual course of the employer's business. Compensation for specific injuries is to be in addition to compensation for temporary total disability. If, when a claim has been denied by the commission and the employee has appealed to the common pleas court, the employer be a self insurer or has failed either to contribute to the state fund or to elect to pay compensation, the employer shall be the defendant. (P. 157. In effect, June 28, 1917.)

Oregon.—The list of hazardous employments to which the act applies is extended and the exemption of municipal corporations removed. The definition of permanent total disability is liberalized. The commission is given continuing jurisdiction and the right of appeal from its decisions is limited. Administration expenses are limited to 10 per cent of the receipts of the industrial accident fund. (C. 288. In effect, May 21, 1917.) Hospital associations are permitted, in which case employers may deduct a portion of their employees' wages for medical care, provided no part of the wages so deducted becomes part of the employer's assets. On complaint of a workman the industrial commission may examine any such arrangement and withhold its approval. It may also cancel the contract if it finds the physician employed is incompetent. (C. 393. In effect, May 21, 1917.) Hospital association business is defined as the agreement, by any corporation, association or person, with other persons, associations or employers, to furnish medical, hospital or burial service or other service for the benefit of their employees contingent on sickness, accident or death; and such business is regulated. The act does not apply to lodge organizations or associations of employees or members of fraternal or religious societies for the payment of accident, illness or funeral benefits not exceeding \$300, nor to a physician who contracts with employees or employers to furnish medical or hospital service without issuing any policy of insurance. The organizations exempt from the act are forbidden to promise to give any compensation for procuring new members. Persons or associations carrying on a hospital association business must invest \$5,000 paid up capital in the same manner as capital stock of domestic insurance companies must be invested, and must also give bond in \$10,000. Hospital associations are subject to examination by the insurance commissioner and must report to him annually. Agents of these associa-

tions are to be licensed in the same manner as life insurance agents. (C. 173. In effect, May 21, 1917.)

Pennsylvania.—Premiums are made available for the expenses of administering the state insurance fund prior to July 1, 1919. Such expenses shall be paid out of the premiums so made available, as well as out of the money originally appropriated for that purpose. After July 1, 1919, such expenses shall be paid entirely out of such premiums. The salary of the assistant manager of the state fund is increased from \$4,000 to \$6,000. (No. 395. Section 3 in effect July 20, 1917; remainder in effect January 1, 1918.) Salaries of workmen's compensation referees are increased from \$2,500 to \$5,000, and the salaries of the referees' clerks are increased from \$1,000 to \$1,500. (No. 57. In effect, April 20, 1917.) All contracts executed by the commonwealth or by a municipality or by any of their subdivisions must provide that the contractor shall accept the workmen's compensation act and must insure his liability thereunder, unless exempted by the bureau of workmen's compensation. (No. 359. In effect, July 18, 1917.)

Rhode Island.—If incapacity extends beyond four weeks compensation is made payable from date of injury. Medical care is extended from two to four weeks and the employee given the right to choose his own physician and hospital. Application of the act is extended to the state, cities, and towns, but they are not required to insure and the abrogation of common law defenses does not apply to towns and cities. Firemen and policemen are excluded, and employees of contractors on public works are not to be considered employees of the contracting state, city, or town. (C. 1534. In effect, June 1, 1917.)

Texas.—The law is extensively amended as to details. The defense of contributory negligence, formerly modified, is now abrogated. Intoxication is added as a defense. The exemption of cotton gin employers is removed and the exemption of employers employing less than six is changed to less than three. Medical care is extended from one to two weeks and may be extended two weeks more if the attending physician certifies the necessity to the industrial accident board. Instead of a schedule of injuries for which an additional payment is made there is a new list of injuries deemed to constitute total permanent incapacity and another list of injuries to receive compensation for specified periods in lieu of other com-

compensation. Compensation may be withheld during refusal to perform suitable employment, or to submit to an operation if in case of hernia or other injury it would improve the patient's condition. The employer is forbidden to collect part of the expenses from his employees. Non-resident alien beneficiaries are expressly included. The term of board members is extended from two to six years and the board is given continuing jurisdiction. Masters and seamen in interstate and foreign commerce are excluded. Injuries occurring outside the state are included; but injuries due to an act of God unless the occupation subjects the employee to uncommon hazard, injuries due to the act of a third person not directed against the employee because of his employment, injuries due to intoxication, and injuries due to a wilful intent and attempt to injure oneself or another, are excluded. Insurance rates must be approved by the commissioner of insurance and banking as not less than those charged by the Texas Employers' Insurance Association. (C. 103. In effect, March 28, 1917.)

Vermont.—The office of commissioner of industries is created to take over the duties of the industrial accident board and state factory inspector. The commissioner is to be appointed by the governor at a salary of \$3,000. (No. 171. In effect, February 28, 1917.) Provision for medical care and burial expenses are each increased from \$75 to \$100. Every employer of five or more must file a certificate annually giving the number of his employees and such other information as the commissioner of industries may require. (No. 173. In effect, July 1, 1917.) The waiting period is reduced from fourteen to seven days. (No. 174. In effect, July 1, 1918.) The law is liberalized in several particulars. Compensation under the specific injury schedule is to be in addition to compensation for total disability. Compensation is specifically provided for loss of hearing in one ear and for simple and strangulated hernia. The exclusion of employees whose salary exceeds \$1,500 is changed to employees whose salary exceeds \$2,000. Others are permitted to elect the act by joint agreement. (No. 175. In effect, July 1, 1917.)

Washington.—A waiting period of seven days is introduced but if incapacity lasts more than thirty days compensation is paid for the first week. In case of total permanent disability, if a workman who is not receiving care from the medical aid fund requires con-

stant attendance his monthly payment is to be increased \$20. A schedule of specific injuries for which lump sums are provided is added. Interstate and intrastate commerce (except railroad construction work) are excluded, but such employers are held liable for damages under the same limitations as imposed by the federal liability law. In case an employer defaults in payments he will be liable to a penalty of 25 per cent, and may also be required to give bond on penalty of being restrained from prosecuting any extra-hazardous occupation. Separate reserve funds must be kept for each class insured. A state medical aid board is created to consist of the chief medical adviser of the industrial insurance commission as chairman and two others, nominated by employers and employees respectively, and appointed by the governor. The state board must promulgate regulations and fee bills and divide the industries of the state into five classes for purposes of assessing premiums for a medical aid fund. Employers must deduct half this premium from the wages of their workmen. From the medical aid fund workmen are entitled to proper and necessary medical and surgical services and hospital care during the waiting period and during such period as compensation payments are being made. The employee may choose his own physician. Local aid boards composed of one employer and one employee are created to provide medical care, certify bills, and reject any not conforming to the regulations adopted by the state board. Appeals may be taken to the state board and thence to the courts. Any employer, with the consent of the majority of his workmen, may enter into a contract to provide medical aid direct on condition that both the cost and the control of administration be shared equally between the employer and his workmen. (C. 28. In effect, June 8, 1917.) No employer may be eligible to benefits because carried on the payroll unless notice that he is being carried on the payroll is given prior to injury. Employers must report their payrolls monthly. Premium rates may be decreased as well as increased if safety experience warrants it. (C. 120. In effect, June 8, 1917.)

West Virginia.—For right to withhold hospital assessments from wages, see "Individual Bargaining," p. 533.

Wisconsin.—The act is made to apply to all employers of three (instead of four), or more. The exclusion of "casual" employments is omitted but the exclusion of employments "not in the usual

course of" the employer's business remains. Public official is defined as not including any public officer subject to another officer. An employer subject to the act is made liable to the employees of a contractor who is not subject to the act "or," (instead of "and"), who has not complied with the act. The period of medical care may be extended by the commission if the period of disability will be lessened thereby; and artificial members must be provided. For injuries in the specific injury schedule the periods of payment are liberalized and the maximum is raised from four to six times annual earnings. For permanent total disability the maximum of six times annual earnings is repealed and compensation is given for life, but not to exceed fifteen years for persons under thirty-two years of age. This maximum period is reduced three months for each year of age until a minimum limit of nine years is reached at age fifty-five. Burial expenses are made payable in all death cases instead of being limited to where no dependents survive. Disfigurements for which lump sums are payable are limited to those which occasion a wage loss. Alien non-resident dependents are to be represented by their consular officers. Compensation due is to bear interest at 6 per cent and, if there is inexcusable delay, payments are to be increased 10 per cent. If the injured employee be a minor unlawfully employed compensation will be trebled. No employer may deduct any part of the cost of compensation from wages or request an employee to enter a hospital contract. No contingent fee exceeding 10 per cent of an award may be charged for enforcing a claim and not then unless previously authorized by the commission. Employees may sue physicians for malpractice. (C. 624. In effect, September 1, 1917.) A compensation insurance board is created consisting of the commissioner of insurance, a member of the industrial commission, and a third member appointed by the governor at \$3,500. Minimum pure premiums and systems of schedule or merit rating must be approved by the board. Every company writing workmen's compensation insurance must join a workmen's compensation rating bureau organized to assist the board. (C. 637. In effect, August 1, 1917.) The method to be used in computing reserves for workmen's compensation insurance is designated. (C. 160. In effect, May 7, 1917.) Employers of three (instead of four) or more are required to keep a record of accidents. (C. 666. In effect, September 1, 1917.)

Wyoming.—The list of extra-hazardous occupations to which the act applies is extended. Assessments are reduced from 2 per cent to 1½ per cent of payroll. The waiting period is removed if incapacity lasts more than thirty days. The lump sums payable for permanent disability and for death are increased. For temporary total disability compensation is increased if unmarried from \$15 to \$18 and if married from \$20 to \$24. (C. 69. In effect, April 1, 1917.)

United States.—By an amendment to the judicial code Congress extended to longshoremen the rights under state workmen's compensation laws for which they had been declared ineligible by the United States Supreme Court decision in the Jensen case. (Public 82, 65th Congress, 1st session. In effect, October 6, 1917.)

c. Commissions.

Michigan.—The governor is given power, whenever in his opinion the provisions of the workmen's compensation act are unfair to either employees or employers, to appoint a commission of three to investigate and make a report for submission to the next session of the legislature. (C. 249. In effect, August 10, 1917.)

New Hampshire.—For appointment of a house committee to study workmen's compensation, see "Health Insurance and General Social Insurance," p. 595.

Oregon.—A commission is authorized to consider the questions of operating the state industrial commission without state aid and of making workmen's compensation compulsory, and to report to the next session of the legislature. (S. J. R. 19. In effect, May 22, 1917.)

2. HEALTH INSURANCE AND GENERAL SOCIAL INSURANCE

California.—As successor to the commission established in 1915, an unpaid commission of seven members, appointed by the governor, is created to investigate social insurance, to report to the next legislature details of the system it advises, and to recommend "any measure for adoption." An appropriation of \$22,500 is made. (C. 312. In effect, July 13, 1917.) An amendment to the constitution is adopted for submission to the people authorizing the legislature to provide for a system of health insurance, either voluntary or compulsory. (Res. C. 57.)

Connecticut.—The governor is directed to appoint a commission of five to serve without pay and to investigate old age pensions, health insurance, free employment bureaus, hours of labor, minimum wage, and a number of other matters affecting business and farming. (C. 163. In effect, April 19, 1917.)

Illinois.—The governor is to appoint an unsalaried health insurance commission of nine—one representative of male labor, one of female labor, an employer, a physician, a farmer, a social economist, a social worker, and two others—to investigate sickness and accidents not covered by workmen's compensation. The department of public health and the department of labor and mining are directed to cooperate. The sum of \$20,000 is appropriated. (P. 488. In effect, July 1, 1917.)

Massachusetts.—A special commission on social insurance is provided for as a successor to the former commission, to study health insurance. It is composed of three members of the senate, six members of the house, and two other members appointed by the governor. The state department of health, the bureau of statistics, and the insurance department, are directed to cooperate. (Res., C. 130. In effect, June 24, 1917.)

New Hampshire.—The speaker of the house is instructed to appoint a special recess committee of five members of the house to study workmen's compensation and health insurance and to report its findings and recommendations to the speaker of the next house. (In effect, March 29, 1917.)

Ohio.—The governor is directed to appoint an unsalaried commission of seven members, to study health insurance and sickness prevention and also old age insurance. The commission may employ a secretary and investigators and other necessary employees. Not to exceed \$25,000 is appropriated. (P. 520. In effect, June 29, 1917.)

Pennsylvania.—A health insurance commission is created to investigate sickness of employees and their families and the methods of treating such sickness. It consists of three senators appointed by the president *pro tempore* of the senate, three representatives appointed by the speaker, and three persons appointed by the governor. The sum of \$5,000 is appropriated. (No. 414. In effect, July 25, 1917.) The governor is authorized to appoint a commission of seven to investigate old age pensions and report to the legis-

lature not later than March 15, 1919. The commission shall consist of two members of the bar "who have studied social problems," two employers, two members of labor organizations, and one woman experienced in the study of social problems. An appropriation of \$5,000 is made. (No. 413. In effect, July 5, 1917.)

Wisconsin.—An unsalaried commission of three assemblymen and two senators is appointed to investigate the subject of social insurance, "including insurance against occupational disease and sickness," and to prepare such bills as it deems proper. The commission must send a copy of its report to every member of the next legislature thirty days before the next regular session. (J. R. 24.) An appropriation of \$5,000 is made. (C. 604. In effect, July 12, 1917.)

United States.—For compensation to seamen, and to soldiers or sailors for injury or disease, see "Workmen's Compensation," p. 578.

ADMINISTRATION OF LABOR LAWS

The tendency to consolidate the enforcement of all laws dealing with labor is evident in Illinois, Montana, Utah, and Vermont, all of which center in a single body the administration of the workmen's compensation act and the factory laws. Wyoming for the first time establishes a commissioner of labor and statistics to enforce the labor laws, and a department of agriculture and labor is created in Porto Rico. New Jersey and Pennsylvania provide for systematic classification and promotion of labor inspectors. Provisions for mine inspection are enacted or amended in five states. New Hampshire permits persons affected by the orders of the commissioner of labor to petition him for review of their validity and reasonableness; the requirements of the act must be specifically called to the attention of a person before he can be charged with violation. Utah also gives the industrial commission power to make rules and regulations and to review its own orders on appeal, subject to limited court review. Pennsylvania authorizes the industrial board to modify, except as to manufactories, the requirements of the law affecting women's work and hours whenever, after a hearing, it decides that the modification is justifiable and will not result in injury to the health of the public or of the women particularly affected. Under this power the maximum hours of labor cannot be increased. California gives the industrial commission power to make safety

regulations for public utilities, but vests in the railroad commission authority to modify or annul the regulations if they unduly interfere with the operation of the utility or the convenience of its patrons. Montana also entrusts the railroad commission with certain authority over safety appliances on electric power lines.

Arkansas.—The commissioner of labor or person authorized by him is to file information for violation of labor laws with any justice of the peace, mayor, or judge of municipal or other court of competent jurisdiction, who must issue warrants without delay. Circuit judges must charge grand juries specifically for violations of minimum wage, child labor, or other labor laws. (Act 161. In effect, March 3, 1917.) The governor is to appoint a mine inspector for two years at \$2,000 and expenses not to exceed \$1,000. Inspector must have eight years' experience as a miner, must not while in office be connected with any mining interest, and must file \$5,000 bond. He must examine mines, employing ten men or more underground in twenty-four hours, at least every three months, except that miners may in any emergency call him for enforcement of the mining laws. He must report annually on various details, including mine development, numbers employed, accidents, and health conditions. He must notify person in charge of mine of any violation found, and, unless same is rectified within a reasonable time, institute prosecution. Concurrently with sheriffs and constables he may make arrests after such notice, and district prosecuting attorneys must prosecute. In case of imminent danger, if the person in charge does not remove the danger without unnecessary delay, the inspector, subject to a writ of injunction by the operator, may order the mine or dangerous portion thereof cleared of all persons except those necessary to remove the danger. Hindering the inspector, or failure to comply with the mining laws, is a misdemeanor. Penalty, \$50-\$500 for each day, except where the mining laws provide other penalties. Wilful failure by the inspector to perform any duty required by the mining laws is a misdemeanor. Penalty, for a first offense \$100-\$1,000; for a second offense, removal and the appointment of his successor within thirty days. (Act 130. In effect, July 1, 1917.)

California.—The commissioner of labor statistics is given two deputies at \$2,400 instead of one at \$1,500, an assistant deputy at \$2,100, a statistician and chief examiner at \$2,700, a stenographer at \$1,200, and \$40,000 a year for salaries of agents or assistants and

expenses. (C. 211. In effect, July 9, 1917.) The act providing for the registration of manufacturing establishments is amended to require the commissioner of labor to notify the state board of health and the local health officer of the city and county of the establishment of any new factory. (C. 177. In effect, July 4, 1917.) The industrial accident commission is given jurisdiction over employees of steam railroads in equipment, construction, or repair shops, of employees of electric roads employed in the generation, transmission, or distribution of electric energy or in equipment or repair shops or in any non-public utility operation, and the safety of all employees of all other public utilities, subject to the power of the railroad commission to suspend, modify or annul any order or decision of the industrial commission which in its judgment "unduly or prejudicially" interferes with the construction or operation of the public utility or with the public or a patron of the public utility. (C. 201. In effect, July 8, 1917.) For provisions for enforcement of elevator inspection act by injunction, see "Safety and Health," p. 562.

Colorado.—The salary of the chief inspector of coal mines is increased from \$3,000 to \$4,000, and the salaries of the deputy inspectors from \$2,100 to \$2,700 each. (C. 45. In effect, April 4, 1917.)

Connecticut.—The law relating to the manufacture and sale of mattresses and pillows is amended by providing for inspection by the commissioner of labor of all places where such articles are manufactured or offered for sale. (C. 274. In effect, May 14, 1917.) Deputies of the commissioner of labor are to receive \$1,600 a year instead of \$5 a day for actual work. (C. 306. In effect, May 16, 1917.)

Delaware.—The sanitary regulations act for the protection of women is to be enforced by inspectors appointed by the labor commission. The state board of health shall determine "what are poisonous fumes and gases and what are poisonous or injurious dust, lint or particles of material" as set out in the act, and "the labor commission shall determine the definition of all other terms used in the act" but the determination of the board or commission shall be subject to appeal to the county court. The labor commission may appeal to the county court of the county where the fumes or dust are created from a decision of the board of health. Notice

of violation must be given to the operator of the establishment and must be obeyed within the number of days specified by the inspector. Appeals from the decision of the inspector may be made to the labor commission. Prosecutions under the act may be had before a justice of the peace but any person convicted may appeal to a county court on giving a bond of \$100. (C. 231. In effect, January 1, 1918.) For substantive provisions of the act see "Safety and Health," p. 562.

Idaho.—For power of the industrial accident board to prescribe safety appliances and rules for construction of factories, see "Safety and Health," p. 563.

Illinois.—The civil administration of the state government is re-organized, among the departments created being a department of labor in charge of a director of labor at a salary of \$5,000. In addition to the director there are: an assistant director of labor, a chief factory inspector, a superintendent of free employment offices, a chief inspector of private employment agencies, all at \$3,000, and an industrial commission consisting of five industrial officers at \$5,000 each. The department takes over the administration of all the labor laws, including the workmen's compensation law. The act to create a bureau of labor statistics, *etc.*, and the act to prevent accidents in mines and other industrial plants, *etc.*, are repealed. (P. 4. In effect, July 1, 1917.)

Indiana.—The appropriation act abolishes the bureau of statistics after October 1, 1917. (C. 79. In effect, March 6, 1917.)

Kansas.—A state board of examiners is created to examine shot firers, shot inspectors, gas men or fire bosses, hoisting engineers, mine foremen and assistant mine foremen. The board is to consist of five members: two practical coal miners of at least five years' experience and two operators of coal mines appointed by the governor, the four thus appointed to select the fifth member. It is made a misdemeanor to employ any men of these classes (shot firers, *etc.*) who have not been examined and granted certificates by the board of examiners. The act applies only to coal mines. Violation of the act is a misdemeanor punishable by fine of \$10-\$100 or imprisonment not exceeding one year or both. (C. 237. In effect, March 29, 1917.) For power of the commissioner of labor to order machinery safeguards and changes in methods of operation, see "Safety and Health," p. 563. Mercantile establishments, laun-

dries or any other places of business where and when labor is being performed are added to the list of places subject to the inspection of the commissioner of labor. Orders and findings of the commissioner of labor shall be reasonable. Any person or corporation may bring an action in a court of competent jurisdiction to set aside any of his orders, findings or decisions on the ground of unreasonableness or illegality and such actions shall have precedence over any civil actions and shall be tried as civil actions. (C. 228. In effect, March 26, 1917.)

Michigan.—The annual compensation of the commissioner of labor is increased from \$2,500 to \$3,500, that of his deputy from \$1,800 to \$2,000; the minimum annual compensation of factory inspectors from \$1,000 to \$1,300; and the permanent annual appropriation from \$40,000 to \$65,000. (No. 98. In effect, April 19, 1917.)

Montana.—The offices of state inspector of boilers, inspector of steamboats, state inspector of mines, and state coal mine inspector are combined and placed under the general supervision of the industrial accident board. (C. 92. In effect, March 4, 1917.) The railroad commission is authorized to interpret and enforce the national electrical code of the United States Bureau of Standards, to which electric light and power lines crossing railroad, telephone, or telegraph wires, must conform. (C. 171. In effect, May 1, 1917.) For power of industrial accident board to make regulations to protect certain employees, see "Safety and Health," p. 564.

Nevada.—The allowance of the labor commissioner for clerical or stenographic assistance is increased from \$1,000 to \$1,200. (C. 178. In effect, March 23, 1917.) The inspector of mines is authorized to appoint an additional deputy inspector at \$200 a month. (C. 25. In effect, February 20, 1917.)

New Hampshire.—For power of commissioner to make regulations in respect to safety and health see "Safety and Health," p. 564.

New Jersey.—Inspectors in the labor department are divided into four grades, distinguished by salary and by method of appointment. Minimum salary in the fourth grade is \$1,000; in the third grade, \$1,200; in the second grade, \$1,600; and in the first grade, \$1,900. In the fourth and third grades appointment is to be made from civil service lists. Appointment to the second grade is to be by non-competitive promotion examination of persons who have

served five years in the third grade. Appointment to the first grade is to be made by promotion of persons who have served five years in the second grade. All inspectors now in the department's service are classed in the third grade. The salary of the assistant commissioner is made \$3,000 with a provision that after five years' service and upon successfully passing a non-competitive promotion examination he shall receive \$3,500. Similar provision for increase in salary is made for heads of bureaus who pass such promotion examination after five years' service. (C. 58. In effect, March 19, 1917.) The law relating to the "steam engine and boiler operators' license bureau" is amended. The three members are placed in the competitive class of the classified civil service and their salaries are raised from \$1,200 to \$1,500. It is provided that after three years' service the salaries may be increased to \$1,600 and again after four years of service to \$1,700. Each member who has satisfactorily served for five years is eligible to a non-competitive promotion examination and upon passing receives a salary of \$1,800. An additional increase of \$100 a year for satisfactory service after such examination is authorized, up to a maximum of \$2,000. (C. 251. In effect, March 29, 1917.)

New York.—The definition in the labor law of "factory" as including "any mill, workshop, or other manufacturing or business establishment . . . where one or more persons are employed at labor" is changed by striking out "or business," and by striking out "labor" and inserting "manufacturing, including making, altering, repairing, finishing, bottling, canning, cleaning or laundering any article or thing, in whole or in part." The definition of "factory building" is amended by adding a qualification that at least one-tenth, or more than twenty-five, of all the persons employed in the building must be working for a factory, and by excluding buildings used exclusively for dwelling purposes above the first story. The definition of "mercantile establishment" is amended by adding "any building, shed or structure occupied in connection with such an establishment." The industrial commission may, however, prescribe that the labor law shall apply to any building any part of which is occupied by or used for a factory. The act also provides that the provisions of the labor law affecting structural changes and alterations shall not apply to factories where less than six persons are employed at manufacturing or to mercantile establishments

where less than six persons are employed, except as otherwise prescribed by the industrial commission. Whenever the enforcement of any provision of the labor law is committed to a local officer he shall have with respect to the matter so committed the same powers and jurisdiction as the industrial commission. Whenever the labor law prohibits the employment of a person under certain conditions the employer shall not permit, suffer or allow such person so to work either with or without compensation and, in a prosecution or action therefor, lack of consent on the part of the employer shall be no defense. (C. 694. In effect, May 31, 1917.)

Ohio.—Section 950 of the general code is amended by omitting the provisions for a court appeal from an order of the inspectors requiring an additional means of egress from a mine. (P. 150. In effect, June 27, 1917.) Section 871-4 of the general code is amended by increasing the annual salary of the members of the industrial commission from \$4,000 to \$5,000. (P. 169. In effect, June 28, 1917.) The industrial commission must appoint, at salaries fixed by it, two deputy inspectors of power piping, refrigerating and hydraulic piping, and heating and ventilating. Inspectors must be steamfitters with ten years' experience in the work named. (P. 644. In effect, July 1, 1917.)

Oregon.—Concurrent jurisdiction is granted to justices of the peace over violations of the provisions of certain designated statutes. These statutes contain a great majority of the labor law provisions. (C. 162. In effect, May 19, 1917.)

Pennsylvania.—The industrial board is authorized to modify the provisions of the act of July 25, 1913 (which applies to all establishments except private homes and farming, and which regulates employment of females in certain establishments with respect to their hours of labor and conditions of employment and which establishes sanitary regulations for the establishments), whenever in the opinion of a majority of its members after due hearing upon petition filed, "such modification may be justified and warranted, and will not result in or tend to the injury of the public health and welfare or of the health and welfare of the females sought to be affected by such modification." Any modification may be changed or withdrawn by the board, or by the commissioner of labor and industry, if in his opinion prompt action is necessary, and the attendance of a majority of the board cannot be secured. The act is not to be construed as

conferring power to increase the maximum hours of labor per week nor to apply to females employed in manufacturing establishments. Notice of modifications granted must be mailed to establishments affected. Violations of any of the terms of the modifications are misdemeanors, to be punished as violations of the act of 1913. (No. 254. In effect, July 5, 1917.) The annual salaries of the four supervising inspectors of the second grade in the department of labor and industry are fixed at \$3,500 and of the chief of the bureau of mediation and arbitration in that department at \$4,000. (No. 345. In effect, July 18, 1917.) The commissioner of labor and industry shall, with the industrial board and chief inspector, draft a table of qualifications based upon experience and length of service and shall classify inspectors of the first grade in the department of labor and industry into three classes at \$2,000, \$1,800 and \$1,500 yearly, and no person shall be appointed as an inspector unless he first passes an examination before the committee to determine his qualifications and his classification. (No. 139. In effect, May 18, 1917.) The chief of the department of mines may appoint a statistician at \$2,000. (No. 323. In effect, July 16, 1917.) The division of municipal statistics and information in the bureau of statistics and information of the department of labor and industry is made a separate bureau of the department, to be known as the bureau of municipalities, and provides for a chief at \$4,000 and other necessary assistants (in place of a municipal statistician at \$2,000 and a stenographer and typewriter at \$1,200). (No. 373. In effect, July 19, 1917.)

Porto Rico.—For creation of department of commerce and labor, see "United States," p. 605.

Tennessee.—The number of district mine inspectors is increased from two to three; compensation of the stenographer to the chief mine inspector is increased from \$800 to \$1,000, and the maximum of moneys available for enforcing the mine inspection act is increased from \$15,000 to \$20,000. (C. 102. In effect, May 17, 1917.)

Utah.—The offices of commissioner of immigration, labor, and statistics; state mine inspector; and board of labor, conciliation, and arbitration, are abolished and the powers of the former holders concentrated in a new industrial commission, composed of three members with salaries of \$4,000. The commission administers all laws for the protection of life, health, safety, and welfare of em-

ployees, and has the usual powers to make investigations and issue orders. Special procedure is provided for reviewing orders issued by the commission, which in every prosecution for violation shall be presumed "just, reasonable and lawful." Violations of the act or orders are punished by a fine of \$50-\$1,000 for a first offense, \$100-\$5,000 for a subsequent offense. (C. 100. In effect, July 1, 1917, except that provisions creating the commission take effect on March 15, 1917.) For power of commission in respect to mediation, see "Collective Bargaining," p. 540; to fix standards, see "Safety and Health," p. 567; in respect to public and private employment offices, see "Unemployment," pp. 552, 553.

Vermont.—The workmen's compensation act of 1915 is amended by abolishing the industrial accident board created for its administration and substituting therefor a commissioner of industries. To the new commissioner are transferred also all the powers and duties of state inspector of factories. The commissioner is required to make investigations to see that the laws relating to the employment of women and children, and to weekly payment of wages, are being complied with. He may compel attendance of witnesses and the production of testimony. When he finds a violation of these laws or of the laws "relating to the health, lives and limbs of operators in factories, workshops, railroads and other places and the provisions of law relating to the protection of the working classes," he shall submit the evidence to the prosecuting officer. The commissioner is authorized with the approval of the governor to appoint and remove one or more deputies. (No. 171. In effect, February 28, 1917.)

Washington.—The telegraph industry is added to the industries in which in rural communities and in cities of less than 3,000 the industrial welfare commission is authorized to establish standards of wages, hours of work, and conditions of labor for women and children. (C. 29. In effect, June 7, 1917.)

West Virginia.—One inspector of sand mines, sand pits, clay mines, clay pits, quarries and cement works is created to rank as a district mine inspector and to have qualifications corresponding to those of the district mine inspectors. (C. 20. In effect, May 22, 1917.) For power of the chief of the department of mines to make rules and regulations, see, "Safety and Health," p. 571.

Wyoming.—The office of commissioner of labor statistics is created. The commissioner is to enforce the laws relating to labor and the health, welfare, and safety of workers, and to collect statistics relating to the conditions of the working classes and to hours, wages, and accidents. He is given power to enter premises, to make investigations, and to compel attendance of witnesses and production of testimony. The act defines a manufacturing establishment to include establishments of any nature in which natural products or other articles in raw or incomplete condition are converted into new, improved, or different form. It does not apply to railroads in interstate commerce or to such of their workshops as are under federal control. The salary of the commissioner is \$2,000 and he may employ a clerical assistant at \$1,200. Any violation of the act or of an order of the commissioner is a misdemeanor. Maximum penalty, \$100, or imprisonment for ninety days, or both. (C. 113. In effect, February 21, 1917.) For power of commissioner to decide on proper safeguards for machinery, see "Safety and Health," p. 568.

United States.—The act providing a civil government for Porto Rico creates a department of agriculture and labor, headed by a commissioner of agriculture at \$5,000. The purpose of the department is to foster the welfare of the wage-earners of Porto Rico, to improve their working conditions, and to advance their opportunities for profitable employment. Nothing in the act is to be construed to limit the power of the legislature to enact laws for the protection of the lives, health or safety of employees. Eight hours is declared to constitute a day's work in all cases of employment of laborers and mechanics by and on behalf of the government of the island. Employment of children under fourteen years in any occupation injurious to health or morals or hazardous to life or limb is prohibited. (Public 368, 64th Congress, 2nd session. In effect, March 2, 1917.)

II. TOPICAL INDEX BY STATES

The labor laws enacted by the forty-four states which held regular, and the dozen states which held special, legislative sessions in 1917, together with the labor laws enacted by the Sixty-fourth Congress, second session (December 4, 1916—March 4, 1917) and the Sixty-fifth Congress, first session (April 2—October 6, 1917), are indexed below in alphabetical order by states, with chapter and page references to the session law volumes. The figures in ordinary type inside the parentheses refer to pages in the session law volumes; the figures in heavier type, outside the parentheses, refer to pages in this REVIEW.

ALASKA

Hours: universal eight-hour day established (C. 55, p. 116), p. 544;
eight-hour day in mines (C. 4, p. 3), p. 545.

Safety and Health: mine inspection act amended (C. 51, p. 95), p. 568.

ARIZONA

Individual Bargaining: surviving spouse may collect wages (C. 22, p. 21), p. 532.

Minimum Wage: \$10 minimum wage for women (C. 38, p. 51), p. 542.

Unemployment: public employment offices authorized (C. 21, p. 20), p. 552.

ARKANSAS

Individual Bargaining: mechanics' lien law amended (Act 305, p. 1614), p. 533.

Unemployment: commissioner of labor to conduct public employment bureau and regulate private agencies (Act 11, p. 34), p. 552.

Safety and Health: steam boilers to be inspected (Act 428, p. 1945), p. 561; regulations for employment certificates amended (Act 391, p. 1849), p. 557; shields for motormen required (Act 174, p. 949), p. 572.

Administration of Labor Laws: commissioner of labor to file information for violations (Act 161, p. 859), p. 597; mine inspector established (Act 130, p. 683), p. 597.

CALIFORNIA

Individual Bargaining: county employees to be paid semi-monthly (C. 574, p. 800), p. 532; wages on road work protected (C. 714, p. 1369), p. 533; sale of prison-made goods regulated (C. 164, p. 249), p. 535; "job selling" prohibited (C. 172, p. 257), p. 536; company

- stores regulated (C. 141, p. 207), p. 537; employer must pay for bond or photograph of employee when same is required (C. 108, p. 151), p. 537; public utility corporations must furnish service letters (C. 747, p. 1520), p. 537.
- Collective Bargaining:* home defense guard not to be used in strikes (C. 689, p. 1279), p. 539.
- Minimum Wage:* \$3 minimum wage on highways (C. 52, p. 55), p. 541.
- Hours:* eight-hour day on highways (C. 52, p. 55), p. 543; women's eight-hour law extended (C. 582, p. 828), p. 545; meal periods for municipal employees (C. 783, p. 1644), p. 549.
- Safety and Health:* child labor act not applicable to minors over sixteen on farms or at domestic labor (C. 580, p. 826), p. 557; elevators not to be operated without permits (C. 74, p. 84), p. 562; steam boilers not to be operated without permits (C. 202, p. 297), p. 562; plumbers to be licensed (C. 65, p. 73), p. 557.
- Social Insurance:* commission created to study health insurance (C. 312, p. 468), p. 594; constitutional amendment to permit compulsory health insurance (Res. C. 57, p. 1948), p. 594; workmen's compensation act extensively amended (C. 586, p. 831), p. 580; insurance companies to file bonds (C. 200, p. 292), p. 581; constitutional amendment to permit compulsory workmen's compensation (C. 60, p. 64), p. 581.
- Administration of Labor Laws:* inspection staff increased (C. 211, p. 328), p. 597; notification of new factories (C. 177, p. 270), p. 598; industrial accident commission given jurisdiction over certain public utility employees (C. 201, p. 296), p. 598.

COLORADO

- Individual Bargaining:* loan agreements to be filed (C. 93, p. 350), p. 532; obtaining services by false pretenses made swindling (C. 54, p. 162), p. 537.
- Minimum Wage:* industrial commission authorized to fix minimum wages (C. 98, p. 380), p. 542.
- Unemployment:* additional public employment office created (C. 76, p. 244), p. 552.
- Safety and Health:* requirements for mine foremen's certificates made more stringent (C. 45, p. 136), p. 569.
- Social Insurance:* workmen's compensation act generally amended (C. 155, p. 551), p. 582.
- Administration of Labor Laws:* salaries of coal mine inspectors increased (C. 45, p. 136), p. 598.

CONNECTICUT

- Miscellaneous Legislation:* governor empowered to suspend labor laws during war (C. 326, p. 2458), p. 529.
- Individual Bargaining:* bond to secure wages required from certain public contractors (C. 118, p. 2308), p. 534.

Hours: women's and minors' hours in certain establishments limited (C. 300, p. 2433), p. 545; night messenger service prohibited for children (C. 261, p. 2407), p. 545; employment on Sunday prohibited (C. 352, p. 2504), p. 550.

Unemployment: commission to study public employment bureaus and other matters (C. 163, p. 119), p. 552.

Safety and Health: law relating to seats for motormen amended (C. 106, p. 2301), p. 572.

Social Insurance: commission created to investigate health insurance, old age pensions, and other subjects (C. 163, p. 2335), p. 595; workmen's compensation act generally amended (C. 368, p. 2530), p. 582; insurance companies to report policies to compensation commissioner (C. 126, p. 2313), p. 582.

Administration of Labor Laws: yearly salaries for deputies of commissioner of labor (C. 306, p. 2442), p. 598; mattress shops to be inspected (C. 274, p. 2415), p. 598.

DELAWARE

Individual Bargaining: mechanics' lien law amended (C. 225, p. 725), p. 534.

Hours: women's hour law extended (C. 230, p. 741), p. 546.

Safety and Health: child labor law extended (C. 232, p. 749), p. 557; provisions for places of women's employment where poisonous or injurious substances are present (C. 231, p. 743), p. 562; safety regulations for building construction (C. 234, p. 792), p. 572.

Social Insurance: elective workmen's compensation act (C. 233, p. 763), p. 574.

Administration of Labor Laws: enforcement of regulations for unhealthful factories employing women (C. 231, p. 743), p. 598.

FLORIDA

Individual Bargaining: employer may pay wages of deceased employee (C. 7366, p. 214), p. 532.

GEORGIA

Collective Bargaining: legislative committees requested to assist in settling railroad strike (Res. 10 p. 997), p. 539.

Unemployment: commissioner of commerce and labor to conduct public and regulate private employment offices (No. 209, p. 89), p. 552.

HAWAII

Minimum Wage: minimum wage on public work increased (Act. 194, p. 355), p. 541.

Social Insurance: workmen's compensation act liberalized (Act 227, p. 443), p. 582; size of territorial insurance fund increased (Act 139, p. 277), p. 583; compensation for policemen and firemen (Act 220, p. 408), p. 583.

IDAHO

Collective Bargaining: driving metallic substances into timber is punishable sabotage (C. 136, p. 446), p. 539; criminal syndicalism prohibited (C. 145, p. 459), p. 539.

Safety and Health: industrial accident board may prescribe safety devices and standards (C. 81, p. 252), p. 563.

Social Insurance: compulsory workmen's compensation act (C. 81, p. 252), p. 574.

ILLINOIS

Miscellaneous Legislation: commission created to study women in industry (S. B. 612, p. 519), p. 529.

Individual Bargaining: time checks regulated (S. B. 163, p. 363), p. 532.

Hours: children's night work law amended (S. B. 525, p. 511), p. 546.

Unemployment: department of labor to provide employment for discharged prisoners (S. B. 74, p. 518), p. 553.

Safety and Health: employment certificate requirements amended (S. B. 525, p. 511), p. 558; blind pillars in mines regulated (H. B. 1031, p. 602), p. 569; requirement for fire extinguishers in mines modified (H. B. 1033, p. 596), p. 569.

Social Insurance: commission created to study health insurance (S. B. 348, p. 488), p. 595; workmen's compensation act amended (S. B. 471, p. 505), p. 583; same (H. B. 551, p. 490), p. 583.

Administration of Labor Laws: consolidated department of labor created (H. B. 279, p. 4), p. 599.

INDIANA

Social Insurance: workmen's compensation appeals limited (C. 63, p. 154), p. 583; waiting period reduced (C. 81, p. 226), p. 583; workmen's compensation reserves (C. 99, p. 313), p. 583; railroad employees excluded (C. 165, p. 673), p. 583.

Administration of Labor Laws: bureau of statistics abolished (C. 79, p. 189), p. 599.

IOWA

Social Insurance: workmen's compensation act generally amended (C. 270, p. 287), p. 583; compensation for state employees (C. 67, p. 83), p. 584; compensation for firemen and policemen (C. 418, p. 444), p. 584; statement of employees' earnings required from employer (C. 188, p. 213), p. 584; consular agent made representative of non-resident dependents (C. 336, p. 372), p. 584; depositions of witnesses (C. 409, p. 436), p. 584.

KANSAS

Individual Bargaining: time checks regulated (C. 229, p. 324), p. 532.

Hours: eight-hour day in lead and zinc mines (C. 242, p. 341), p. 546; children's hour regulations extended (C. 227, p. 318), p. 546.

- Unemployment:* penalty for refusing to work (C. 167, p. 214), p. 554.
Safety and Health: mill and cannery added to list of employments prohibited to children under fourteen (C. 227, p. 318), p. 558; inspection and other powers of labor commissioner extended (C. 228, p. 321), p. 563; motormen's vestibules on street cars to be heated (C. 255, p. 355), p. 572; commission to revise coal mining laws (C. 238, p. 334), p. 569; shot firing in coal mines regulated (C. 240, p. 338), p. 569; bath houses at coal mines to be non-combustible (C. 241, p. 339), p. 569; mine rescue stations established (C. 239, p. 335), p. 569.
Social Insurance: workmen's compensation act liberalized (C. 226, p. 301), p. 584.
Administration of Labor Laws: board for certification of miners appointed (C. 237, p. 331), p. 599; factory inspection law extended (C. 228, p. 321), p. 599.

KENTUCKY

(Special session. No labor legislation.)

LOUISIANA

(Special session. No labor legislation.)

MAINE

- Individual Bargaining:* assignment of wages regulated (C. 298, p. 428), p. 532.
Safety and Health: employment certificate requirements amended (C. 146, p. 146), p. 558.
Social Insurance: compensation for firemen (C. 241, p. 275), p. 585; workmens' compensation insurance rates (C. 224, p. 259), p. 585; compensation for state employees (C. 230, p. 264), p. 585.

MARYLAND

(Special session.)

- Unemployment:* "lazy man's law" (C. 33, p. 80), p. 554.
Social Insurance: investments of workmen's compensation fund (C. 6, p. 19), p. 585.

MASSACHUSETTS

- Miscellaneous Legislation:* commission created to consider applications for suspension of labor laws during war (C. 342, p. 336), p. 530.
Individual Bargaining: mechanics' lien law amended (C. 213, p. 155), p. 534; preference to citizens on public works (C. 260, p. 188), p. 536.
Hours: hours of girls in telephone exchanges extended (C. 294, p. 233), p. 546; law providing meal intervals for women and children amended (C. 110, p. 83), p. 550.
Safety and Health: lockers required in hotels (C. 72, p. 53), p. 563.
Social Insurance: commission created to study health insurance (Res.

C. 130, p. 379), p. 595; employees permitted to select physician (C. 198, p. 138), p. 585; compensation maximum increased (C. 249, p. 179), p. 585; burial benefits extended (C. 269, p. 193), p. 585; industrial accident board reorganized (C. 297, p. 234), p. 585; workmen's compensation reserves (C. 10, p. 10), p. 585; provision for mutual workmen's compensation insurance companies (C. 191, p. 136), p. 585.

MICHIGAN

Miscellaneous Legislation: disciplining of railroad employees regulated (No. 92, p. 167), p. 537.

Unemployment: act regulating private employment agencies amended (No. 244, p. 519), p. 551.

Safety and Health: child labor act amended (No. 280, p. 709), p. 558; commission to investigate child labor (No. 293, p. 726), p. 558; board of boiler rules created (No. 174, p. 349), p. 563.

Social Insurance: employers' advisory board for accident fund authorized (No. 206, p. 456), p. 585; average earnings defined (No. 41, p. 70), p. 585; workmen's compensation insurance law rewritten (No. 256, p. 540), p. 585; industrial accident board appropriation increased (No. 235, p. 501), p. 585; governor authorized to appoint commission to study workmen's compensation (No. 249, p. 524), p. 594.

Administration of Labor Laws: salaries in labor department increased (No. 98, p. 176), p. 600.

MINNESOTA

Individual Bargaining: payment of wages by non-negotiable instrument forbidden (C. 348, p. 494), p. 532.

Collective Bargaining: criminal syndicalism prohibited (C. 215, p. 311), p. 539; labor organizations permitted, issuance of injunctions regulated (C. 493, p. 832), p. 539.

Hours: firemen's hours regulated (C. 91, p. 111), p. 543; overtime under age of sixteen prohibited (C. 248, p. 358), p. 546.

Unemployment: cooperation with federal and city governments in establishing public employment bureaus authorized (C. 113, p. 140), p. 553; definition of vagrant extended (C. 292, p. 427), p. 555.

Social Insurance: workmen's compensation act liberalized (C. 351, p. 497), p. 585; waiting period reduced (C. 302, p. 439), p. 586; mutual liability insurance companies regulated (C. 201, p. 288), p. 586.

MISSOURI

Hours: two-platoon system in fire departments (H. B. 209, p. 351), p. 544.

Safety and Health: buildings required for railroad repair work (S. B. 15, p. 323), p. 564.

MONTANA

Individual Bargaining: lien created on oil and gas works (C. 45, p. 48), p. 534.

Hours: eight-hour law for public employees extended (C. 30, p. 34), p. 544; firemen's hours regulated (C. 91, p. 155), p. 544; eight-hour day for women (C. 18, p. 18), p. 546; same (C. 70, p. 92), p. 546.

Safety and Health: safety rules for employees in connection with electrical appliances (C. 171, p. 429), p. 364; seats for female employees (C. 18, p. 18), p. 364; same (C. 70, p. 92), p. 364.

Administration of Labor Laws: certain offices combined under industrial accident board (C. 92, p. 155), p. 600; electric light and power lines regulated (C. 171, p. 429), p. 600.

NEBRASKA

Individual Bargaining: semi-monthly pay days required on railroads (C. 218, p. 538), p. 532.

Unemployment: private employment agencies regulated (C. 199, p. 474), p. 551.

Social Insurance: workmen's compensation act liberalized (C. 85, p. 199), p. 586.

NEVADA

Minimum Wage: basis of wage rate on public roads revised (C. 205, p. 393), p. 541.

Hours: eight-hour day for women (C. 14, p. 16), p. 547.

Safety and Health: seats for female employees (C. 14, p. 16), p. 564.

Social Insurance: workmen's compensation act generally amended (C. 233, p. 436), p. 586.

Administration of Labor Laws: allowance of labor commissioner for clerical assistance increased (C. 178, p. 338), p. 600; additional deputy inspector of mines appointed (C. 25, p. 29), p. 600.

NEW HAMPSHIRE

(Page references not yet available.)

Miscellaneous Legislation: governor may suspend labor laws during war (C. 194), p. 530.

Individual Bargaining: failure to comply with agreement to labor on lumbering operation made punishable (C. 3), p. 537.

Collective Bargaining: strikes and lockouts prohibited in munition plants during war (C. 146), p. 540; advertising for employees during strikes further regulated (C. 99), p. 540; hearings in labor disputes not evidence elsewhere (C. 142), p. 540.

Hours: hours of women and minors reduced (C. 196), p. 547.

Unemployment: public employment offices to be established (C. 198), p. 553.

Safety and Health: safety and health in factories (C. 183), p. 564.

Social Insurance: committee created to study health insurance and workmen's compensation (Jrnl. N. H. House, p. 697), p. 595.

NEW JERSEY

Individual Bargaining: prisoners not to replace free labor locked out or on strike (C. 157, p. 478), p. 535.

Safety and Health: sweat shop law amended (C. 176, p. 519), p. 565; sweat shop law further amended (C. 229, p. 783), p. 566; scaffolding regulated (C. 168, p. 497), p. 572; construction and use of steam boilers regulated (C. 185, p. 537), p. 565; license required for steam boiler operation (C. 251, p. 854), p. 566.

Social Insurance: workmen's compensation insurance required (C. 178, p. 522), p. 587; employers' liability insurance required (C. 262, p. 878), p. 588.

Administration of Labor Laws: inspectors in labor department graded (C. 58, p. 104), p. 600; law relating to steam engine and boiler operators' license bureau amended (C. 251, p. 854), p. 601.

NEW MEXICO

Individual Bargaining: semi-monthly pay days required (C. 16, p. 52), p. 532.

Social Insurance: elective workmen's compensation act (C. 83, p. 209), p. 576.

NEW YORK

Hours: women's hours in restaurants regulated (C. 535, p. 1564), p. 547.

Unemployment: juvenile departments to be established in public employment bureaus (C. 749, p. 2440), p. 553.

Safety and Health: commissioner of labor to transmit to superintendents of schools lists of work certificates granted (C. 536, p. 1565), p. 558; industrial commission to make rules dealing with closets (C. 693, p. 2216), p. 566; law relating to elevators in factories amended (C. 532, p. 1561), p. 566; law relating to fire alarm signal system in factory buildings amended (C. 634, p. 1870), p. 566; appropriation for expenses of voluntary code committee (C. 181, p. 335), p. 566.

Social Insurance: workmen's compensation act generally amended (C. 705, p. 2267), p. 588; workmen's compensation mutual insurance mergers permitted (C. 299, p. 1019), p. 588.

Administration of Labor Laws: definitions of factory and factory building changed, provisions affecting structural changes amended (C. 694, p. 2217), p. 601.

NORTH CAROLINA

Individual Bargaining: prison labor contracts prohibited (C. 286, p. 593), p. 536.

Unemployment: board of charities and public welfare authorized to study unemployment (C. 170, p. 320), p. 555.

NORTH DAKOTA

Miscellaneous Legislation: commission created to study women and children in industry (C. 181, p. 61), p. 530.

Individual Bargaining: semi-monthly pay days required on railroads (S. B. 78, p. 206), p. 533; mechanics' lien law amended (H. B. 16, p. 16), p. 534.

OHIO

Individual Bargaining: wages on erection of public buildings protected (S. B. 39, p. 642), p. 534; "job selling" prohibited (H. B. 135, p. 614), p. 538; railroad employees to be heard before disciplining (H. B. 107, p. 603), p. 537.

Hours: women's hours reduced (H. B. 327, p. 149), p. 548.

Safety and Health: seats required for motormen and conductors (H. B. 144, p. 590), p. 572; automatic door required on locomotive fire boxes (S. B. 5, p. 560), p. 572; hoisting regulations for mines amended (H. B. 309, p. 150), p. 570; regulations for drilling or abandoning oil or gas wells amended (S. B. 167, p. 630), p. 570.

Social Insurance: commission created to study health insurance and old age insurance (H. B. 461, p. 520), p. 595; workmen's compensation insurance companies forbidden (H. B. 1, p. 6), p. 588; death payments liberalized (S. B. 35, p. 450), p. 588; medical allowance increased (S. B. 69, p. 528), p. 588; workmen's compensation act generally amended (H. B. 506, p. 157), p. 588.

Administration of Labor Laws: court appeal from order requiring additional means of egress from a mine no longer permitted (H. B. 309, p. 150), p. 602; salaries of industrial commission increased (H. B. 429, p. 169), p. 602; industrial commission to appoint piping inspectors (S. B. 57, p. 644), p. 602.

OKLAHOMA

Unemployment: private employment agencies regulated (C. 181, p. 339), p. 552.

Safety and Health: issuance of age and schooling certificates amended (C. 182, p. 344), p. 559.

OREGON

Individual Bargaining: miners' wages protected (C. 226, p. 428), p. 534.

Hours: eight-hour law on public work amended (C. 98, p. 129), p. 544; women's ten-hour law amended (C. 163, p. 208), p. 548.

Unemployment: committee to investigate unemployment and poverty (H. C. R. 15, p. 959), p. 555; memorial to President against age limit in employment (H. J. Mem. No. 2, p. 977), p. 555.

Social Insurance: workmen's compensation act generally amended (C. 288, p. 542), p. 589; hospital associations authorized (C. 393, p. 822), p. 589; hospital associations regulated (C. 173, p. 218), p. 589; commission to study workmen's compensation authorized (S. J. R. 19, p. 940), p. 594.

Administration of Labor Laws: justices of peace given concurrent jurisdiction over labor law violations (C. 162, p. 208), p. 602.

PENNSYLVANIA

(Page references not yet available.)

Minimum Wage: county employees' pay raised (No. 400), p. 541.

Unemployment: fund created for public works in dull periods (No. 411), p. 554.

Safety and Health: fire escape provisions amended (No. 357), p. 566; work in compressed air regulated (No. 364), p. 570; requirement for ambulances at mines modified (No. 383), p. 571.

Social Insurance: commission created to study health insurance (No. 414), p. 595; commission to study old age pensions authorized (No. 413), p. 595; state insurance fund made self-supporting (No. 395), p. 590; salaries of workmen's compensation referees increased (No. 57), p. 590; public contractors required to insure compensation liability (No. 359), p. 590.

Administration of Labor Laws: industrial board may modify but not increase legal hours for women in manufacturing (No. 254), p. 602; inspectors' salaries fixed (No. 345), p. 603; inspectors to be classified (No. 139), p. 603; statistician provided for department of mines (No. 323), p. 603; bureau of municipalities established (No. 373), p. 603.

PORTO RICO

Hours: eight-hour day on public work (Public 368, 64th Cong., 2nd sess.), p. 605.

Safety and Health: legislature empowered to enact laws for safety and health of employees; fourteen-year minimum age in certain occupations (Public 368, 64th Cong., 2nd sess.), p. 605.

Administration of Labor Laws: department of agriculture and labor created (Public 368, 64th Cong., 2nd sess.), p. 605.

RHODE ISLAND

Safety and Health: provisions for waterclosets made definite (C. 1522, p. 148), p. 567.

Social Insurance: workmen's compensation act amended (C. 1534, p. 165), p. 590.

SOUTH CAROLINA

Safety and Health: child labor regulation increased (No. 95, p. 170), p. 559.

SOUTH DAKOTA

Individual Bargaining: wages on real estate improvements protected (C. 296, p. 610), p. 535.

Unemployment: public employment office created (C. 376, p. 832), p. 553.

Social Insurance: elective workmen's compensation act (C. 376, p. 832), p. 576; provision for mutual insurance companies (C. 277, p. 468), p. 577; workmen's compensation reserves prescribed (C. 276, p. 464), p. 577; workmen's compensation insurance policies regulated (C. 278, p. 477), p. 577.

TENNESSEE

Individual Bargaining: wages to be paid semi-monthly (C. 28, p. 57), p. 533; misrepresentation of wages a misdemeanor (C. 48, p. 112), p. 538; prison labor contracts abolished (C. 46, p. 98), p. 536.

Hours: children's hours regulated (C. 77, p. 233), p. 548.

Unemployment: private employment agencies regulated (C. 78, p. 236), p. 552.

Safety and Health: work in canneries prohibited for children under fourteen (C. 77, p. 233), p. 559; showers and dressing rooms in foundries (C. 50, p. 114), p. 567; mine regulations (C. 111, p. 315), p. 571.

Administration of Labor Laws: mine inspection law amended (C. 102, p. 303), p. 603.

TEXAS

Individual Bargaining: mechanics' liens created on mines and wells (C. 17, p. 28), p. 535.

Hours: vacations for firemen (C. 185, p. 407), p. 549.

Safety and Health: child labor law generally amended (C. 59, p. 104, p. 560; fire escape regulations amended (C. 140, p. 345), p. 567.

Social Insurance: workmen's compensation act generally amended (C. 103, p. 269), p. 590.

UTAH

Individual Bargaining: assignment of wages regulated (C. 41, p. 116), p. 533.

Collective Bargaining: labor unions legalized, issuance of injunctions regulated (C. 68, p. 210), p. 540; industrial commission to promote voluntary arbitration (C. 100, p. 306), p. 540.

Hours: children's hours reduced (C. 80, p. 242), p. 548.

Unemployment: industrial commission to supervise private and conduct public employment offices (C. 100, p. 306), p. 552.

Safety and Health: minimum age for children in dangerous employments raised (C. 80, p. 242), p. 560; industrial commission authorized to fix safety standards (C. 100, p. 306), p. 567.

Social Insurance: compulsory workmen's compensation act (C. 100, p. 306), p. 577.

Administration of Labor Laws: certain offices abolished and powers concentrated in industrial commission (C. 100, p. 306), p. 603.

VERMONT

Miscellaneous Legislation: commissioner of industries may suspend hour laws during war (No. 172, p. 192), p. 530.

Hours: eight-hour day for children (No. 177, p. 202), p. 549.

Safety and Health: restrictions on employment of children and of women before and after childbirth increased (No. 177, p. 202), p. 560.

Social Insurance: office of commissioner of industries created (No. 171, p. 190), p. 591; workmen's compensation act amended (No. 173, p. 192), p. 591; waiting period reduced (No. 174, p. 197), p. 591; workmen's compensation act liberalized (No. 175, p. 198), p. 591.

Administration of Labor Laws: industrial accident board replaced by commissioner of industries (No. 171, p. 190), p. 604.

WASHINGTON

Individual Bargaining: labor liens on orchards created (C. 110, p. 410), p. 535.

Hours: industrial welfare commission may establish hours in telegraph industry (C. 29, p. 98), p. 549.

Safety and Health: coal mining code revised (C. 36, p. 109), p. 571.

Social Insurance: workmen's compensation act generally amended (C. 28, p. 76), p. 591; same (C. 120, p. 474), p. 592.

Administration of Labor Laws: telegraph industry put under authority of industrial welfare commission (C. 29, p. 98), p. 604.

WEST VIRGINIA

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